Washington, Saturday, September 1, 1956

TITLE 3—THE PRESIDENT PROCLAMATION 3150

NATIONAL DAY OF PRAYER, 1956
BY THE PRESIDENT OF THE UNITED STATES
OF AMERICA
A PROCLAMATION

WHEREAS, as a people, we are greatly blessed, both materially and spiritually, and it is fitting that we should recognize the hand of God in every matter affecting us individually and as a Nation; and

WHEREAS, with this precept in mind, the Congress, by a joint resolution approved April 17, 1952, provided that the President "shall set aside and proclaim a suitable day each year, other than a Sunday, as a National Day of Prayer, on which the people of the United States may turn to God in prayer and meditation"; and

WHEREAS the appointed day is one on which to give solemn thought to the mercies bestowed upon us, to lift up our voices in unified thanks for the spiritual blessings we enjoy, especially the profound blessing of freedom, and to acknowledge in all things the presence of Almighty God:

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, in consonance with the Congressional resolution, do hereby proclaim Wednesday, September -12, 1956, as a National Day of Prayer, on which all of us, in our places of business, in our places of worship, in our homes, and in our hearts, may be each God to continue to watch over us in our daily lives and in the conduct of our national affairs. Let us also render thanks to Him for the manifold bounties vouch-safed us throughout our history.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 29th day of August in the year of our

Lord nineteen hundred and fifty-six, and of the Independence of the United States of America the one hundred and eighty-first.

DWIGHT D. EISENHOWER

By the President:

John Foster Dulles, Secretary of State.

[F. R. Doc. 56-7088; Filed, Aug. 30, 1956; 4:18 p.m.]

PROCLAMATION 3151

CONSTITUTION WEEK, 1956

BY THE PRESIDENT OF THE UNITED STATES
OF AMERICA

A PROCLAMATION

WHEREAS on September 17, 1787, after four months of debate, highlighted by sharp differences of view and by wise compromises, the outstanding leaders of our Republic, who were meeting in convention at Philadelphia, signed the Constitution of the United States of America; and

WHEREAS the story of the framing, signing, and adoption of that epochal document constitutes one of the most significant chapters in the history of our country; and

WHEREAS it is fitting that every American should reflect upon the vision and fortitude of our forebears in creating a charter designed "to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty" for themselves and for the fortunate millions who were to follow them as citizens of this Nation; and

WHEREAS the Congress, by a joint resolution approved August 2, 1956, has requested the President to set aside the week beginning September 17 of each year as Constitution Week, a time for the contemplation and commemoration of the historic acts which resulted in the formation of our Constitution:

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, do hereby designate the period beginning September 17 and ending September 23, 1956, as Constitution Week; and I urge the people of the United States to observe that week with appropriate ceremonies and activities in their schools and churches, and in other suitable places. I also urge them at that time to give solemn and grateful thought to that eventful week in September 1787 when our Constitution was signed, delivered to the Continental Congress, and made known to the people of the country, thus laying the foundation for the birth of a new Nation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

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CFR SUPPLEMENTS

(As of January 1, 1956)

The following Supplements are now available:

Title 26 (1954) Part 221 to end (Rev., 1955) (\$2.25)

Title 38 (\$2.00)

Titles 44-45 (\$1.00)

Title 50 (\$0.60)

Previously announced: Title 3, 1955 Supp. (\$2.00); Titles 4 and 5 (\$1.00); Title 6 (\$1.75); Title 7, Parts 1-209 (\$1.25), Parts 210-899 (Rev., 1955) with Supplement (\$4.50), Parts 900-959 (Rev., 1955) (\$6.00), Part 960 to end (Rev., 1955) with Supplement (\$5.85); Title 8 (\$0.50); Title 9 (\$0.70); Titles 10-13 (\$0.70); Title 14 Parts 1-399 (\$2.50), Part 400 to end (\$1.00); Title 18 (\$0.50); Title 19 (\$0.50); Title 19 (\$0.50); Title 19 (\$0.50); Title 18 (\$0.50); Title 19 (\$0.50); Title 20 (\$1.00); Title 21 (Rev., 1955) (\$5.50); Titles 20 and 23 (\$1.00); Title 24 (\$0.75); Title 25 (\$0.50); Title 26 (1954) Parts 1-20 (Rev., 1955) (\$2.00); Title 26 (Parts 1-79 (\$0.35), Parts 80-169 (\$0.50), Parts 170-182 (\$0.30), Parts 183-299 (\$0.35), Parts 300 to end, Ch. 1, and Title 27 (\$1.00); Titles 28 and 29 (\$1.25); Titles 30 and 31 (\$1.25); Titles 32 Parts 1-399 (\$0.60), Parts 800-699 (\$0.65), Parts 700-799 (\$0.35), Parts 800-1099 (\$0.40), Part 1100 to end (\$0.35); Title 32A (Rev., 1955) (\$1.25); Title 33 (\$1.50); Title 34 (Rev., 1955) (\$4.25); Titles 43 (\$0.50), Part 146 to end (\$1.25); Titles 47 and 48 (\$2.25); Title 49; Parts 1-70 (\$0.60), Part 1-70 (\$0.60), Parts 11-70 (\$1.00), Parts 11-70 (\$1.00), Parts 11-70 (\$0.60), Parts 11-70 (\$0.60

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DONE at the City of Washington this -29th day of August in the year of-our Lord nineteen hundred and fifty-six, and of the Independence of the United States of America the one hundred and eightyfirst.

DWIGHT D. EISENHOWER

By the President:

JOHN FOSTER DULLES, . Secretary of State.

[F. R. Doc. 56-7099; Filed, Aug. 31, 1956; 9:57 a. m.1

PROCLAMATION 3152

OF RESTRICTIONS MODIFICATION OF CERTAIN VIRGINIA-TYPE IMPORTS PEANUTS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS, pursuant to section 22 of the Agricultural Adjustment Act, as amended (7 U.S.C. 624), I issued Proclamation No. 3019 on June 8, 1953 (67 Stat. C 46), limiting to 1,709,000 pounds (aggregate quantity) the imports of peanuts, whether shelled, not shelled, blanched, salted, prepared, or preserved (including roasted peanuts, but not including peanut butter) which may be entered, or withdrawn from warehouse, for consumption in any 12-month period beginning July 1 in any year, which proclamation was amended by Proclamation No. 3025 of June 30, 1953 (67 Stat. C 54) and by Proclamation No. 3095 of May 16, 1955 (69 Stat. C 32);

WHEREAS the said Proclamation No. 3095 amended the said Proclamation No. 3019 so as to establish thereafter as the quota year for peanuts the 12-month period beginning August 1 in any year;

WHEREAS the total quantity of such peanuts which may be entered, or withdrawn from warehouse, for consumption under the said Proclamation No. 3019, as amended, during the 12-month period beginning August 1, 1956, has already been entered, or withdrawn from ware-

house, for consumption; WHEREAS, pursuant to section 22 (d) of the Agricultural Adjustment Act, as amended, the United States Tariff Commission has made a supplemental investigation to determine whether there is a deficit in the domestic supply of Virginia-type peanuts, shelled (not including peanuts blanched, salted, prepared, or preserved), of sizes averaging in representative samples not more than 40 kernels per ounce, such as to require an increase in the quantity of such peanuts which may be permitted to be entered, or withdrawn from warehouse, for consumption during the early part of the quota year beginning August 1, 1956, to meet essential requirements of domestic users of such peanuts, and, if so, what additional quantity or quantities of such peanuts may be permitted to be so entered or withdrawn without materially interfering with or rendering ineffective the program of the Department of Agriculture with respect to peanuts;

Commission has submitted to me a report of its findings and recommendation in connection with the said supplemental investigation; and

WHEREAS, on the basis of said supplemental investigation and report of the Tariff Commission, I find that the do-mestic supply of Virginia-type peanuts is not sufficient to meet the essential requirements of domestic users of such peanuts and that such deficit may be permitted to be supplied from peanuts of foreign origin, but only under the conditions and subject to the fee hereinafter proclaimed, without rendering or tending to render ineffective, or materially interfering with, the said program of the Department of Agriculture with respect to peanuts, or reducing substantially the amount of any product processed in the United States from peanuts with respect to which such program is being undertaken:

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, acting under and by virtue of the authority vested in me by the said section 22 of the Agricultural Adjustment Act, as amended, do hereby proclaim that the said Proclamation No. 3019, as amended, is hereby modified so as to permit an unlimited quantity of peanuts of the Virginia type, shelled (not

WHEREAS the United States Tariff including peanuts blanched, salted, prepared, or preserved), of sizes averaging in representative samples not more than 40 kernels per ounce, to be entered, or withdrawn from warehouse, for consumption during the period beginning on the day following the date of this proclamation and ending at the close of business on 10 September 1956, subject to a fee of 7 cents per pound, but not more than 50 per centum ad valorem: Provided. That the said fee shall be in addition to any other duties imposed on the importation of such peanuts.

> IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be

> DONE at the City of Washington this 29th day of August in the year of our Lord nineteen hundred and

> fifty-six, and of the Independ-[SEAL] ence of the United States of America the one hundred and eightyfirst.

DWIGHT D. EISENHOWER

By the President:

John Foster Dulles, Secretary of State.

[P. R. Doc. 56-7100; Filed, Aug. 31, 1956; 9:57 a.m.]

RULES AND REGULATIONS

TITLE 50-WILDLIFE

Chapter I—Fish and Wildlife Service. Department of the Interior

Subchapter B—Hunting and Possession of Wildlife

PART 5-TRANSPORTATION OF GAME MAMMALS TO AND FROM MEXICO

Basis and purpose. By Articles III and V of the convention between the United States and the United Mexican States for the protection of migratory birds and game mammals, concluded February 7, 1936 (50 Stat. 1311), the high contracting parties agreed not to permit the transportation over the American-Mexican border of migratory birds or game mammals, dead or alive, their parts or products, without a permit of authorization provided for that purpose by the Government of each country.

In implementing the convention cited, the Congress of the United States, by the Act of June 20, 1936 (49 Stat. 1555; effective March 15, 1937), amended section 4 of the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755; 16 U. S. C. 705) by adding a new sentence declaring it to be unlawful to import into the United States from Mexico, or to export from the United States to Mexico, any game mammal, dead or alive, or parts or products thereof, except under permit or authorization of the Secretary of the Interior in accordance with such regulations as he shall prescribe having due regard to the laws of the United Mexican States relating to the exporta-

tion and importation of such mammals or parts or products thereof and the laws of the State, District, or Territory of the United States from or into which such mammals, parts or products thereof, are proposed to be exported or imported, and the laws of the United States prohibiting the importation of certain live mammals injurious to the interests of agriculture and horticulture.

Section 4 of the Migratory Bird Treaty Act, as amended to implement that portion of the convention between the United States and the United Mexican States restricting the transportation of game mammals to and from Mexico was first implemented by Regulation 12 adopted by the Secretary of Agriculture (predecessor in function to the Secretary of the Interior) and proclaimed by the President in Proclamation 2245, July 30, 1937 (2 F. R. 1360; see also 50 CFR, 1938 ed., 2.2). In subsequent codifications of Title 50, CFR, the pertinent provisions of this regulation have been included in Part 6-Migratory Birds and Certain Game Mammals and have been carried forward to the present as § 6.7 in substantial conformity with the regulation as originally adopted.

In connection with a concurrent revision of Part 6,2 it is deemed advisable so to revise that part as to confine its provisions to migratory birds and to codify regulations governing the transportation of game mammals to and from Mexico in a separate part. Since no substantive changes are being made through the ac-

² See P. R. Doc. 56-6990, infra.

tion being taken herein, notice and public procedure on this amendment is not required (60 Stat. 238; 5 U. S. C. 1003) and the amendment shall become effective upon publication in the Federal Register.

The following regulations constituting a new Part 5—Transportation of. Game Mammals to and from Mexico are adopted.

aaop

Sec. 5.1 Definition of game mammals.

5.2 Transportation of game mammals to and from Mexico.

AUTHORITY: §§ 5.1 and 5.2 issued under sec. 4, 40 Stat. 755, as amended; 16 U. S. C. 705. Interpret or apply E. O. 10250, 16 F. R. 5385, 3 CFR, 1951 Supp.

§ 5.1 Definition of game mammals. The species of game mammals under the terms of the convention between the United States and the United Mexican States for the protection of migratory birds and game mammals, concluded February 7, 1936 (49 Stat. 1311), include antelope, mountain sheep, deer, bear, peccary, squirrel, rabbit, and hare.

§ 5.2 Transportation of game mammals to and from Mexico—(a) Game mammals, or parts or products thereof, taken in and transported from a State, Territory, or the District of Columbia, may be transported to Mexico, if the importation thereof is not prohibited by law or regulation of that country, upon presentation to the collector of customs at the port of exit of the certificate of an official, warden, or other officer of the game department of such State, Territory, or District, that such game mammals, or parts or products thereof, which must be listed in the certificate, were taken or acquired and are being transported in compliance with the laws and regulations of such State, Territory, or District.

(b) From Mexico. Game mammals, dead or alive, their parts or products, may be transported from Mexico into the United States if accompanied by a Mexican export permit, and if alive by such permit as may be required under regulations of the Secretary of the Treasury (19 CFR 12.26) relating to the transportation of wild birds and other animals under humane and healthful conditions: Provided, That their possession in any State or Territory or the District of Columbia, shall be subject to the laws of such State, Territory, or District.

Note: For Bureau of Animal Industry regulations relating to importation of certain animals and poultry and certain animal and poultry products from Mexico, see 9 CFR Part 92.

Issued at Washington, D. C., and dated August 27, 1956.

Fred G. Aandahl, Acting Secretary of the Interior.

[F. R. Doc. 56-6989; Filed, Aug. 31, 1956; 8:45 a. m.]

PART 6-MIGRATORY BIRDS

Basis and purpose. By notice of proposed rule making published on June 2.

1956 (21 F. R. 3799), the public was invited to participate in the preparation of amendments to the regulations under section 3 of the Migratory Bird Treaty Act of July 3, 1918, as amended (40 Stat. 755; 16 U. S. C. 704), by submitting views, data, or arguments in writing to the Director, Fish and Wildlife Service, Washington, D. C., within the period of thirty days from the date of such publication.

No written data, views, or arguments have been received in direct response to the notice of proposed rule making. In contemplation, however, of the present revision and republication of Part 6, Title 50, CFR, those provisions of these regulations which are of particular interest to the several States and their hunting populations were reviewed at meetings held in May and June with the four Flyway Councils which represent the game departments of the States in the Atlantic, Mississippi, Central, and Pacific Flyways. All relevant suggestions and recommendations presented at these meetings have received appropriate consideration in the preparation of this revision.

In the interest of improving the format of these regulations, clarifying their provisions, and conforming them to existing administrative practices, certain editorial changes have been made, but changes affecting the substantive text are few in number.

In connection with the present revision of Part 6, it is deemed advisable so to revise the part as to confine its provisions to migratory birds and to codify in a separate part the existing provisions of Part 6 which govern the transportation of game mammals to and from Mexico. Accordingly, by action taken concurrently with this revision of Part 6, all regulations previously included in that part, relating to the transportation of game mammals to and from Mexico, are being codified as Part 5.

The accompanying revision of Part 6 incorporates under new section numbers and section headings schedules prescribing hunting seasons and daily bag and possession limits for the 1956-57 seasons on rails, gallinules, woodcock, and mourning and white-winged doves as previously adopted and published on August 1, 1956 (21 F. R. 5737). It also includes hunting seasons, daily bag and possession limits, and other conditions to govern the taking of waterfowl, coots. and Wilson's snipe during the 1956-57 seasons. The hunting dates for waterfowl, coots, and Wilson's snipe, as prescribed in the schedules for these species, are based upon recommendations submitted by the several State game departments. These hunting dates were supplied by the State game departments in response to an invitation to submit recommendations for hunting seasons conforming to prescribed season lengths and falling within a framework of opening and closing dates as established by this Department.

Note: The hunting seasons and bag and possession limits set forth in tabular form in paragraphs (a) and (b) of \$6.41 were originally prescribed through an amendment to former paragraph (4a) of \$6.4 (e)

published on August 1, 1956 (21 F. R. 5738), with an effective date thirty days thereafter. Section 6.61 (c) represents a rearrangement, in tabular form without substantive change, of former paragraph 4 (b) of § 6.4 (e) which was added to Part 6 on July 17, 1954 (19 F. R. 4426).

Paragraphs (a), (b), and (c) of § 6.46 constitute redesignations of former paragraphs (1), (2), and (3) of § 6.4 (e), as last amended August 1, 1956 (21 F. R. 5728). Paragraphs (b) and (c) of § 6.46 now prescribe hunting seasons on rails and gallinules in Alabama, Michigan, and North Dakota beginning on November 7 in Alabama, and on October 1 in both Michigan and North Dakota; the fixing of such seasons having been deferred until a later date when former paragraphs (2) and (3) of § 6.4 (e) were last amended. Former paragraph (4) of § 6.4 (e) has been omitted in this revision of Part 6 as being unnecessary and provision has been made for the taking of gallinules with coots in the Pacific Flyway States under paragraph (f) of § 6.51.

Paragraph (a) of § 6.51 is a redesignation of former paragraph (4c) of § 6.4 (c) which was added to Part 6 on July 26, 1955 (20 F. R. 5327). Paragraph (b) of § 6.51 presents in tabular form the substance of footnote 1 to former paragraph (1) of § 6.4 (e) as last amended on August 1, 1956 (21 F. R. 5738). Paragraphs (c), (d), (e), and (f) of § 6.51 constitute redesignations of former paragraphs (5), (6), (7), and (8) of § 6.4 (e), and prescribe open season dates and bag and possession limits on migratory waterfowl, coots, and Wilson's snipe for 1956–1957.

Part 6 is completely revised and republished to read as follows:

GENERAL

Sec.
6.1 Definitions of migratory birds.

6.2 Definitions of terms.

6.3 Hunting methods.

6.4 Open seasons, limits, and other provisions.

NATIVE USE IN ALASICA

.5 Taking of certain migratory nongame birds by Eskimos and Indians.

TRANSPORTATION AND IMPORTATION

6.6 Transportation into, within, or out of any State.

6.7 Importations from Canada, Mexico, or other foreign country.

6.8 Limitations upon transportation and importation.

RESTRICTIONS APPLICABLE TO POSSESSION

6.9 Possession for purposes of processing, transportation, or storage.

6.10 Termination of possession by hunters.
6.11 Possession of live migratory waterfowl.

6.12 Possession of plumage and skins of migratory game birds.

6.13 Commercial use of feathers.

5.14 Public and institutional uso.

PERMITS

6.15 Permits for propagating, scientic collecting, and other purposes.

INSPECTIONS AND REPORTS

6.21 Inspections.

3.22 Reports.

3.23 Records retention period.

STATE LAWS

6.31 State laws for the protection of migratory birds.

SCHEDULES

- 6.41 Seasons and limits on doves and wild pigeons.
- 6.46 Seasons and limits on rails, gallinules, and woodcock.

¹ See F. R. Doc. 56-6989, supra.

6.51 Seasons and limits on waterfowl, coots, and Wilson's snipe.

CONTROL OF DEPREDATING BIRDS

6.61 Depredation permits.

6.62 Depredating blackbirds and grackles.
6.63 Designated species of depredating birds in California.

6.64 Depredating purple gallinules in Louisiana.

WILDLIFE DEVELOPMENT AREAS

6.71 Approval of area development program.
6.72 Revocation of program approval.
6.73 Notice and hearing.

AUTHORITY: \$\$ 6.1 to 6.73 issued under sec. 3, 40 Stat. 755, as amended; 16 U. S. C. 704. Interpret or apply E. O. 10250, 16 F. R. 5385, 3 CFR, 1951 Supp.

GENERAL

§ 6.1 Definitions of migratory birds. Migratory birds included in the terms of the conventions between the United States and Great Britain for the protection of migratory birds, and between the United States and the United Mexican States for the protection of migratory birds and game mammals concluded, respectively, August 16, 1916 (39 Stat. 1702), and February 7, 1936 (50 Stat. 1311), are as follows:

(a) Game birds. (1) Waterfowl (Anatidae), including brant, wild ducks,

geese, and swans.

(2) Cranes (*Gruidae*), including little brown, sandhill, and whooping cranes.
(3) Rails (*Rallidae*), including coots,

gallinules, and sora and other rails.

(4) Shore birds (Haematonodidae

(4) Shorebirds (Haematopodidae, Charadriidae, Scolopacidae, and Phalaropodidae), including avocets, curlews, dowitchers, godwits, knots, oyster-catchers, phalaropes, plovers, sandpipers, snipe, stilts, surf birds, turnstones, willet, woodcock, and yellowlegs.

(5) Doves and wild pigeons (Colum-

bidae).

- (b) Insectivorous birds. Cuckoos (including road runner and anis), flickers,. and other woodpeckers; nighthawks or bullbats, chuckwill's widow, poorwills, and whippoorwills; swifts; hummingbirds; kingbirds, phoebes, and other flycatchers; horned larks, bobolinks, cowbirds, blackbirds, grackles, meadowlarks, and orioles; grosbeaks (including cardinals), finches, sparrows, and buntings (including towhees); tanagers; martins and other swallows; waxwings; phainopeplas; shrikes; vireos; warblers; pipits, catbirds, mockingbirds, and thrashers; wrens; brown creepers; nuthatches; titmice (including chickadees, verdin, and bushtits); kinglets and gnatcatchers; robins and other thrushes.
- (c) Other nongame birds. Auks, auklets, bitterns, fulmars, gannets, grebes, guillemots, gulls, herons, jaegers, loons, murres, petrels, puffins, shearwaters, and terns.
- § 6.2 Definitions of terms. For the purposes of this part, the following terms shall be construed, respectively, to mean and to include:
- (a) Secretary. The Secretary of the Interior or his authorized representative.
- (b) Person. Individual, club, association, partnership, or corporation, any one or all, as the context requires.

(c) Take. Pursue, hunt, kill, or capture, or attempt to hunt, kill, or capture.

(d) Open season. Time during which migratory game birds may lawfully be taken. Each period of time prescribed as, an open season shall be construed to include the first and last days thereof. Unless otherwise specified, whenever time is stated in hours it shall be construed to refer to standard time in the area affected.

(e) Closed season. Time during which migratory game birds may not be taken.

(f) Transport. Ship, carry, export, import, and receive or deliver for shipment, conveyance, carriage, exportation, or importation.

(g) State. Any State, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States.

Note: Section 2 of the Migratory Bird Treaty Act of July 3, 1918, as amended (40 Stat. 755; 16 U.S. C. 703), provides that, unless and except as permitted by regulations adopted by the Secretary of the Interior in the manner prescribed by the Act and included in this part, it shall be unlawful at any time, by any means-or in any manner, to pursue, hunt, take, capture, kill, attempt to take, capture, or kill, possess, offer for cale, cell, offer to barter, barter, offer to purchase, purchase, deliver for shipment, ship, export, import, cause to be shipped, exported, or imported, deliver for transportation, transport or cause to be transported, carry or cause to be carried, or receive for shipment, transportation, carriage, or export, any migatory bird, or any part, nest or egg of any such birds, included in the terms of the conventions elted in § 6.1.

§ 6.3 Hunting methods. The provisions of this section shall govern the methods by which any person may take migratory game birds on which open seasons are prescribed in this part.

(a) Permitted methods. Migratory

game birds may be taken-

(1) Only with bow and arrow, or with a shotgun (not larger than No. 10 gauge and incapable of holding more than three shells) fired from the shoulder;

(2) In the open or from a blind or other place of concealment on land or

water;

(3) From a floating craft, including a sailboat or a boat or other craft having a motor attached when such sailboat, boat or other craft with motor attached is beached, resting at anchor, or fastened within or tied immediately alongside of any type of fixed hunting blind;

(4) On or over properly shocked grain, standing crops (including aquatics), flooded standing crops, flooded harvested crop lands, or grains found scattered solely as a result of normal agricultural harvesting; or

(5) By the aid of a dog, motorboat, sailboat, or other craft when used solely as a means of picking up injured or dead waterfowl, coots, rails or gallinules.

(b) Prohibited methods. Migratory game birds may not be taken—

(1) With a trap, snare, net, rifle, swivel gun, or machine-gun;

(2) With a shotgun of any description originally capable of holding more than three shells, the magazine of which has not been cut off, altered, or plugged with a one-piece metal or wooden filler, incapable of removal without disassembling

the gun, so as to reduce the capacity of the said gun to not more than three shells in the magazine and chamber combined;

(3) From or by means, aid or use of a sinkbox (battery), motor-driven conveyance, motor vehicle, or aircraft of any kind:

(4) From or by means of a sailboat or other boat or floating craft having a motor attached unless such boat, craft, or sailboat is beached, resting at anchor or fastened within or tied immediately alongside of any type of fixed hunting blind or is used solely as a means of picking up injured or dead waterfowl, coots, rails or gallinules;

(5) By the use or aid of livestock as a blind or means of concealment;

(6) By the use or aid of live ducks

or geese as decoys;

(7) By means or aid of any motordriven land, water, or air conveyance or sailboat used for the purpose of or resulting in the concentrating, driving, rallying, or stirring up of waterfowl and coots; or

(8) By the aid of salt, or shelled or shucked or unshucked corn, wheat, or other grains, or other feed or means of feeding similarly used to lure, attract, or entice such birds to, on, or over the area where hunters are attempting to take them. As used in the preceding sentence, the terms "shelled or shucked or unshucked corn, wheat, or other grains," or "other feed or means of feeding similarly used," shall not be construed as including properly shocked grain, standing crops (including aquatics), flooded standing crops, flooded harvested crop lands, or grains found scattered solely as a result of normal agricultural harvesting.

(c) Exceptions. Nothing contained in this section shall be construed to apply to the taking of migratory nongame birds as permitted in § 6.5, nor to apply to propagating, scientific, depredation-control or other operations in accordance with the terms of permits or other authorizations issued pursuant to this part.

Note: Section 1 of the Migratory Bird Hunting Stamp Act of March 16, 1934 (48 Stat. 451; 16 U. S. C. 718a), as last amended by the Act of July 30, 1956 (70 Stat. 722), provides (with certain exceptions not pertinent to the hunting of such birds as permitted in this part) that no person who has attained the age of sixteen (16) years shall take any migratory waterfowl (brant, wild ducks, geese, and swans) unless at the time of such taking he has on his person an unexpired Federal migratory bird hunting stamp (commonly referred to as a Duck Stamp), validated by his signature written across the face of the stamp in ink prior to his taking such birds. Persons who have not reached their sixteenth (16) birthday may take migratory waterfowl as permitted in this part without such stamp. Section 9 of the Act defines the term "take" to mean pursue, hunt, shoot, capture, collect, in collect, or kill.

- § 6.4 Open seasons, limits, and other provisions. (a) Migratory game birds may be taken from one-half hour before sunrise to sunset during the open seasons prescribed except as hereinafter provided in this part.
- (b) A person may take in any one day during the open seasons prescribed

therefor not to exceed the numbers of migratory game birds permitted in this part which numbers shall include all birds taken by any other person who for hire accompanies or assists him in taking such birds. When so taken such birds may be possessed in the numbers specified in this part, except that no person on the opening day of the season may possess any migratory game birds in excess of the applicable daily limits and no person may possess any freshly killed migratory game bird during the closed season for such bird.

(c) Nothing in this part shall be deemed to permit the taking of migratory birds on any reservation or sanctuary established under the Migratory Bird Conservation Act of February 18, 1929, as amended (45 Stat. 1222; 16 U.S.C. 715), or any area of the United States set aside under any other law, proclamation, or executive order for use as a bird, game, or other wildlife reservation, breeding ground, or refuge, or on any area designated as a closed area under the Migratory Bird Treaty Act except so far as may be permitted by the Secretary.

(d) No migratory bird may be taken at any time, by any means, from, on, or across any highway, road, trail, or other right-of-way, whether public or private, within the exterior boundaries of any established national wildlife refuge.

(e) Open seasons only on such migratory game birds as are therein designated, daily bag and possession limits, and exceptions to the hours of hunting stated in paragraph (a) of this section shall be as prescribed annually in §§ 6.41. through 6.51.

(f) Whenever the Secretary shall find that emergency State action to prevent forest fires in any extensive area has resulted in the shortening of the season during which the hunting of any species of migratory game bird is permitted and that a compensatory extension or reopening of the hunting season for such. birds will not result in a diminution of the abundance of birds to any greater extent than that contemplated for the original hunting season, the hunting season for the birds so affected may, subject to all other provisions of this subchapter, be extended or reopened by the Secretary upon request of the chief officer of the agency of the State exercising administration over wildlife resources. The length of the extended or reopened season in no event shall exceed the number of days during which hunting has been so prohibited. The extended or reopened season will be publicly announced.

NATIVE USE IN ALASKA

§ 6.5 Taking of certain migratory nongame birds by Eskimos and Indians. In Alaska, Eskimos and Indians may take, possess, and transport, in any manner and at any time, auks, auklets, guillemots, murres, and puffins and their eggs for food and their skins for clothing, but the birds and eggs so taken shall not be sold or offered for sale.

TRANSPORTATION AND IMPORTATION

§ 6.6 Transportation into, within, or out of any State. Any person, without a

permit, may transport lawfully killed migratory game birds into, within, or out of any State during and after the open seasons in the State where taken. subject to the conditions and restrictions specified in this section.

(a) If such birds are dressed, the head. head plumage, and feet must remain attached in such manner as to permit identification of their species while being transported between the place where taken and the location where such birds are to be consumed or refrigerated, smoked, or otherwise preserved.

(b) During any one calendar week the number of such birds permitted to be transported out of or into any State or to a foreign country shall not exceed for one person the number permitted in this part to be in the possession of one person

where taken.

(c) Any such birds transported from any State not later than 48 hours following the close of the open season therein may continue in transit for such additional time immediately after shipment, not to exceed 5 days, as is necessary to deliver them to their destination.

- (d) Any package or container in which such birds are transported shall have the name and address of the shipper and of the consignee and an accurate statement of the numbers and kinds of birds contained therein clearly and conspicuously marked on the outside thereof.
- (e) Nothing in this section shall be deemed to permit the importation of such birds from a foreign country.
- § 6.7 Importations from Mexico, or other foreign country. During and after the open seasons where taken any person, without a permit, may enter and transport in any State migratory game birds lawfully killed in and exported from a foreign country, subject' to the conditions and restrictions specified in this section.
- (a) During any one calendar week, the numbers of such birds permitted to be entered and transported shall be limited
- (1) Not to exceed 10 ducks and 5 geese of any species on which open seasons are prescribed in this part and not to exceed 15 white-winged or mourning doves (singly or in the aggregate of both kinds of such doves).
- (2) For species of migratory game birds other than ducks, geese, and whitewinged-and mourning doves the numbers shall not exceed for one person the greatest number of such species permitted to be possessed by one person in any State not including Alaska.
- (b) Shipments from Canada must be accompanied by tags or permits if required by dominion or provincial law.
- (c) Shipments from Mexico must be accompanied by a Mexican export permit and if imported from Mexico or any other foreign country (except Canada) such birds must be dressed, drawn, and have the head and feet removed.
- (d) Any such birds transported from Canada, Mexico, or other foreign country not later than 5 days following the close of the open season where taken may continue in transit for such addi-

tional time immediately after shipment, not to exceed 5 days, as is necessary to deliver them to their destination.

- (e) Any package or container in which such birds are transported shall have the name and address of the shipper and of the consignee and an accurate statement of the numbers and kinds of birds therein contained clearly and conspicuously marked on the outside thereof.
- § 6.8 Limitations upon transportation and importation. Nothing contained in this part shall be construed to permit the transportation of migratory game birds. or parts thereof, from, to, or through any State or to or through Canada, Mexico, or other foreign country contrary to the laws of the place in which taken or from, to, or through which transported; nor shall any such birds be imported from Canada, Mexico, or other foreign country contrary to the laws of the place in which taken or from, to, or through which transported.

RESTRICTIONS APPLICABLE TO POSSESSION

- § 6.9 Possession for purposes of processing, transportation, or storage. No person, other than the person who has lawfully taken such birds, shall receive. possess, or have in custody migratory game birds for picking, cleaning, processing, shipment, transportation, or storage (including temporary storage at hunting clubs) unless such birds have a tag attached signed by the hunter stating his address, the total number and kinds of birds and the date killed. Any commercial cold storage or locker plant receiving, possessing, or having in custody migratory game birds shall maintain accurate records showing the numbers and kinds of such birds, the dates received and disposed of, and the names and addresses of the persons from whom such birds are received and to whom such birds are delivered. Such records shall be produced at any reasonable time for inspection by any officer authorized to enforce this part. The records so required to be maintained shall be retained by the person or persons responsible for their preparation and maintenance for a period of one year following the close of the open season on migratory game birds prescribed for the area in which such cold storage or locker plant is located.
- § 6.10 Termination of possession by hunters. For the purposes of this part, the ownership and possession of birds legally taken by any hunter shall be deemed to have ceased when such birds have been delivered by him to (a) a post .office; (b) a common carrier; or (c) a commercial cold storage or locker plant for transportation to some person other than the hunter.
- § 6.11 Possession of live migratory waterfowl. Any person, without a permit, may possess and transport for his own use lawfully acquired live migratory waterfowl.
- § 6.12 Possession of plumage and skins of migratory game birds. Any person, without a permit, may possess and transport for his own use the plumage and skins of lawfully taken migratory game birds.

§ 6.13 Commercial use of feathers. Any person, without a permit, may possess, dispose of, and transport for the making of fishing flies, bed pillows, and mattresses, and for similar commercial uses, but not for millinery nor ornamental use, feathers of wild ducks and wild geese lawfully killed, or seized and condemned by Federal or State game authorities.

§ 6.14 Public and institutional use. Imports from Mexico must be accompanied by Mexican export permits, but otherwise State game departments, State or municipal game farms, or municipal parks, may acquire, possess, dispose of, and transport lawfully obtained live migratory waterfowl without a permit; and public museums, zoological parks and societies, and public scientific and educational institutions may acquire by gift, loan, or purchase and may possess, dispose of, and transport lawfully obtained migratory birds, or parts, nests, or eggs thereof without a permit. No such birds may be sold to, purchased from, or exchanged with any person not authorized pursuant to this part to sell, purchase, or exchange them.

PERMITS

§ 6.15 Permits for propagating, scientific collecting, and other purposes. The provisions of this section shall govern the issuance of permits to authorize any person to import, take, sell, purchase, otherwise acquire, possess, and transport migratory birds, or parts, nests, or eggs thereof for specified purposes.

(a) General authorization. Permits for the importation, taking, sale, pur-chase or other acquisition, and possession of live migratory birds and their eggs for propagating purposes; for the importation, taking, sale, purchase or other acquisition, and possession of migratory birds, or parts, nests, or eggs thereof for scientific and other limited purposes; for the disposition and transportation of such birds, or parts, nests, or eggs and their increase; and for the mounting or other preparation by a taxidermist of such birds, or parts, nests, or eggs thereof may be issued by the Secretary upon such terms and conditions as are consistent with the protection of the species and the general purposes of this part. which terms and conditions may include, among other things, the inspection of premises and records by any person authorized to enforce this part, the keeping of records and the making of reports.

(b) Importations from Mexico. Importations from Mexico under this section must be accompanied by a Mexican

export permit.

(c) Limitations. To insure the preservation of migratory birds, permits to take for scientific and propagating purposes may be denied or they may limit the number and species of such birds, their nests, or eggs to be taken thereunder, the place where they may be taken, and the manner and means of taking.

(d) Restrictions on purchase, sale, or exchange. Migratory birds, or parts, nests, or eggs thereof may not be pur-

chased from, sold to, or exchanged with any person not authorized by this section or by a permit issued thereunder to make such sale, purchase, or exchange. (e) Compliance with State law. No

(e) Comptance with State law. No permit issued under this section shall authorize the taking, possession, sale, purchase, exchange, or transportation of migratory birds, their nests or eggs unless the permittee also possesses whatever permit may be required for such action pursuant to the laws and regulations of the State concerned.

(f) Transfer and revocation. No permit issued under this section shall be transferable. Any permit heretofore or hereafter issued under authority of regulations prescribed pursuant to the Migratory Bird Treaty Act may be terminated by the Secretary for violation of said regulations or failure to comply with the terms and conditions of the

permit.

(g) Marking of packages. package or container in which migratory birds, or parts, nests, or eggs thereof are shipped wholly within a State or in which such birds or parts, nests, or eggs thereof are transported by any means whatever from one State to, into, or through another State, or to a foreign country, shall be plainly and clearly marked, labeled, or tagged on the outside thereof to show the names and addresses of the consignor and consignee, the contents of the package or container, the number of the permit under authority of which it is shipped or transported, and the purpose for which the birds, or parts, nests, or eggs are being shipped or transported.

(h) Applications for permits. Applications for permits on forms prescribed for such purposes shall be addressed to the Commissioner of Fish and Wildlife, Department of the Interior, Washington

25, D. C.

INSPECTIONS AND REPORTS 1

§ 6.21 Inspections. Any person exercising a privilege granted in a permit issued under this part shall allow any person authorized to enforce this part to enter at all reasonable hours and inspect the premises where operations are being carried on under such permit and to inspect the records relating thereto.

§ 6.22 Reports. Unless a different date is stated in the permit, reports of operations required to be submitted by any permit issued under this part shall be filed, on a form furnished for that purpose, with the Commissioner of Fish and Wildlife, Department of the Interior, Washington 25, D. C., on or before the 10th day of January following issuance of the permit. Failure to submit a report as required will be sufficient cause for revocation of the permit or withdrawal of any privilege accorded any person failing to make the report.

§ 6.23 Records retention period. The records required to be maintained for

the purpose of making reports pursuant to the provisions of any permit issued under this part shall be retained by the person or persons responsible for their preparation and maintenance for a period of six months following the date on which such reports are submitted.

STATE LAWS

§ 6.31 State laws for the protection of migratory birds. Nothing in this part or in any permit issued thereunder shall be construed to permit the taking, possession, sale, purchase, or transportation of migratory birds, or parts, nests, or eggs thereof contrary to the laws and regulations of any State made for the purpose of giving further protection to migratory birds, their nests or eggs when such laws and regulations are not inconsistent with the conventions between the United States and any other country for the protection of migratory birds or with the Migratory Bird Treaty Act and do not extend the open seasons for such birds beyond the dates prescribed by this part.

SCHEDULES

•§ 6.41 Seasons and limits on doves and wild pigeons. Subject to the applicable provisions of the preceding sections of this part, the areas open to hunting, the respective open seasons (dates inclusive), and the daily bag and possession limits on the species of doves and wild pigeons designated in this section are prescribed for the period between September 1, 1956 and January 10, 1957, as follows:

casons in:	· •
Alabama 1	Oct. 1-Oct. 25.
***********	Dec. 12-Jan. 10.
Arkansas ¹	Sept. 1-Oct. 10.
	Dec. 1-Dec. 15.
Connecticut	Closed season.
	Sept. 20-Oct. 31.
	Nov. 15-Nov. 27.
District of Columbia	Closed season.
Florida 1	Oct. 13-Oct. 31.
	Dec. 1-Jan. 5.
Georgia	Sept. 15-Sept. 29. Dec. 17-Jan. 10.
	Closed season.
Indiana	
Illinois Kentucky 1	Sept. 1-Oct. 10.
Louisiana 2	Dec 1_Ton Q
Maryland 1	Sent 15-Nov 8
Massachusetts	Closed season.
Michigan	Do.
Mississippl 2	Nov. 10-Dec. 13.
New Hampshire	Closed season.
New Jersey	
New York	Do.
Stanta Compliant	Sept. 10-Oct. 6.
North Carolina 1	Dec. 14-Jan. 10.
Ohio Pennsylvania	Closed season.
Pennsylvania	Sept. 10-Oct. 19.
Rhode Island	
South Carolina 1	Sept. 15-Oct. 4.
20442 0440222	Dec. 7-Jan. 10.
Tennessee 2	Sept. 1-Sept. 10.
Vermont	Closed season.
Virginia¹	Dec 25_Tan 5
West Virginia	Oct. 12-Nov. 20.
Wisconsin	Closed season
Puerto Rico	Do.
2 Shooting hours in the Si	
• anourny nours in the Si	ares muncated. IX

Shooting hours in the States indicated, 12 o'clock noon until sunset.

¹The record-keeping requirements contained in this part have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

RULES AND REGULATIONS

ally bag and	possession	limit	10	(a)	Atlantic	Flyway	States.
opeone in ·	•	, -					

2			
Seasons in:	•	Rails and	gallinules
Sept. 1-Oct. 4.			
California * Sept. 1-Sept. 30. Colorado Sept. 1-Oct. 20. Idaho Sept. 1-Sept. 15. Iowa Closed season.		Sora	All others (singly or in aggro- t(ato)
Kansas Sept. 1–Oct. 20. Minnesota Closed season.	Dollar hog limits	25	10
Sept. 1—Oct. 10. Missouri	Daily bag limits Possession limits	25	20
MontanaClosed season.	Seasons in:	Sout 1 On	t. 20
Nebraska Do.	Connecticut Delaware	Sept. 1-Oc	v. 9
Nevada Sept. 1-Oct. 20.	District of Columbia	Closed seas	5011
New Mexico Sept. 1-Sept. 25.	Florida Georgia Georgia	Sept. I-No	V. 9
000.1-000.20.	Maine		
North Dakota Closed season.	Maryland	Sept. 1-Oc	t. 20
OklahomaSept. 1-Oct. 20.	Massachusetts	Oct. 20-De	c. 28
Oregon Sept. 1-Sept. 30.	New HampshireNew Jersey	Sept. 1-No	v. 9
South Dakota Closed season.	New York	do	
Texas 1 See footnote 3.	North Carolina Pennsylvania	do	
Utah Sept. 1-Sept. 30.	Pennsylvania	do	
Washington Do.	Rhode Island	Oct. 1-Dec	. 9
Wyoming Sept. 1-Sept. 10.	South CarolinaVermont	Sept. 1-No	v 9
Shooting hours in States indicated, 12	Virginia	Sept. 15-0	ct. 3)
o'clock noon until sunset.	West Virginia	Oct. 12-De	c. 20
² In Arizona, the daily bag and possession	Puerto Rico	Dec. 15-Fo	b. 15£

¹ New York: The seasons for hunting woodcock are as follows: In the countles of Erio, Génésce, Livingston, Monroe, Niagara, Ontario, Orleans, Seneca, Wayne, Wyoming, Yates, and Chautariqua (Area 1)—Oct. 22-Nov. 23; in the countles of Nassau and Suffolk (Area 2)—Nov. 1-Nov. 23; in the remainder of the State (Area 3)—Oct. 15-Nov. 23. The shooting hours during which woodcock may be taken in each of the three areas described shall be from 9 a. m. to 5 p. m. (EST) on the first day of the respective seasons and from 7 a. m. to 5 p. m. (EST) on each day thereafter thereafter.

Woodcock

8

Oct. 27-Dec. 5.
Nov. 15-Dec. 24.
Closed season.
Nov. 20-Dec. 20.
Dec. 11-Jan. 10.
Oct. 1-Nov. 9.
Nov. 16-Dec. 24.
Oct. 20-Nov. 20.
Oct. 1-Nov. 9.
Oct. 20-Nov. 28.
See footnote 1.
Nov. 22-Dec. 31.
Oct. 8-Nov. 10.
Nov. 1-Nov. 30.
Dec. 11-Jan. 19.
Oct. 12-Nov. 28.
Oct. 12-Nov. 20.
Oct. 11-Nov. 9.
Nov. 10-Dec. 28.
Oct. 12-Nov. 20.
Oct. 10-Dec. 28.
Oct. 10-Dec. 28.
Oct. 10-Dec. 28.
Oct. 10-Season.

Closed season.

(b) Mississippi Flyway States.

•	Ralls and	gallinules	
	Sora	All others (singly or in aggro- igato)	Wòodcock
Daily bag limits	25 25	15 15	4 8
Seasons in: Alabama Arkansas Illinois Indiana Iowa Kentucky Louisiana Michigan Mimesota Mississippi Missouri Ohlo - Tennessee Wisconsin	Closed sea Sept. 1-No Closed sea Nov. 19-Ja Oct. 1-Dec Sept. 15-N Oct. 6-Dec Sept. 1-No Nov. 2-Jai	ov. 9	Doc. 12-Jan. 20. Nov. 15-Dec. 24, Nov. 17-Dec. 17. Oct. 20-Nov. 28. Closed season. Nov. 19-Dec. 28. Dec. 12-Jan. 20. See footnote 1. Oct. 6-Nov. 14. Dec. 10-Jan. 18. Nov. 10-Dec. 10. Oct. 1-Nov. 9. Nov. 22-Dec. 31. Oct. 1-Nov. 9.

¹ Michigan: The seasons for hunting woodcock in three zones as defined by State law, order, or regulations of the Michigan Department of Conservation, are as follows: Zone 1, Oct. 1-Nov. 1; Zone 2, Oct. 1-Nov. 9; and Zone 3, Oct. 20-Nov. 9.

(c) Central Flyway States.

	Rails ant	ed gallinles	
	Sora	Alt others (singly or in aggre- gate)	Woodcock
Daily bag limits	25 25	15 15	- 4 8
Seasons in: Colorado. Kansas. Montana Nebraska	do	ov. 9	Closed season, Do. Do.
New Mexico North Dakota Oklaboma South Dakota	Nov. 2-Jai Oct. 1-Dec dodo Closed sea		Do. Do. Do. Nov. 23-Jan. 1. Closed season.
Texas Wyoming	Sept. 1-No Olosed sea		Dec. 8-Jan. 16. Closed season.

§ 6.51 Seasons and limits on waterfowl, coots, and Wilson's snipe. Subject to the applicable provisions of the preceding sections of this part, the areas open to hunting, the respective open seasons (dates inclusive), and the daily bag and possession limits on the species of waterfowl and on coots and Wilson's snipe as designated in this section are prescribed for the period between September 1, 1956, and March 10, 1957, as follows: 1957, as follows:

Daily bag and possession limit 10
Seasons in:
Arizona ² Sept. 1-Oct. 4. Dec. 8-Dec. 23.
California * Sept. 1-Sept. 30.
Colorado Sept. 1-Oct. 20.
Idaho Sept. 1-Sept. 15.
Iowa Closed season.
Kansas Sept. 1-Oct. 20.
Minnesota Closed season.
Missouri Sept. 1-Oct. 10. Nov. 10-Nov. 19.
Missouri Nov. 10-Nov. 19.
MontanaClosed season.
Nebraska Do.
Nevada Sept. 1-Oct. 20.
New Mexico Sept. 1-Sept. 25. Oct. 1-Oct. 25.
North Dakota Closed season.
Oklahoma Sept. 1-Oct. 20.
OregonSept. 1-Sept. 30.
South Dakota Closed season.
Texas 1 See footnote 3.
Utah Sept. 1-Sept. 30.
Washington Do.
Wyoming Sept. 1-Sept. 10.
1 Charting have in Ctates indicated 19

limit on mourning and white-winged doves is 15, provided such limit contains not more

than 10 mourning doves.

In California, the daily bag and possession limit for mourning and white-winged doves is not more than 10 singly or in the aggregate of both kinds.

* Texas: Mourning doves in Val Verde, Kinney, Uvalde, Medina, Bexar, Comal, Hays, Travis, Williamson, Milam, Robertson, Leon, Houston, Cherokee, Nacogdoches and Shelby Counties, and all counties north and west thereof, Sept. 1-Oct. 17. In remainder of State, Oct. 12-Nov. 28.

(b) White-winged doves. Daily bag and possession

limit	See footnote 1.
Seasons in:	
Arizona	Sept. 1-Oct. 4. Dec. 8-Dec. 23.
Alizona	Dec. 8-Dec. 23.
California:	•
Countles of:	•
Imperial	Sept. 1-Sept. 30.
Riverside .	Do.
, San Bernar	dino Do.

Remainder of State:__ Closed season. ¹In Arizona, the daily bag and possession limit for white-winged and mourning doves is 15, provided such limit contains not more than 10 mourning doves. In California, the daily bag and possession limit for white-

winged and mourning doves is not more than 10 singly or in the aggregate of both kinds.

(c) Band-tailed pigeons.

(U) Ullia Tullou Ingoon	
Daily bag and possession lin	nit (
Seasons in:	
California:	
Counties of:	' -
Del Norte	1
Siskiyou	
Modoc	
Lassen	0-4-4-0-4-04
. Humboldt	Oct. 1-Oct. 31.
Trinity	
Shasta	
. Tehama	
Remainder of State	Dec. 1-Dec. 31.
Oregon-	
Washington	

§ 6.46 Seasons and limits on rails, gallinules, and woodcock. Subject to the applicable provisions of the preceding sections of this part, the areas open to hunting, the respective open seasons (dates inclusive), and the daily bag and possession limits on the species designated in this section are prescribed for the period between September 1, 1956 and February 12, 1957, as follows:

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	Ducks Geese Goots Brant Wilson's snipe	0 15 0 8 8 8	Sepsons throughout Alaska ' Sopt. 1-Nov. 22 Sopt. 1-Sopt. 30, Possession limits	1 Old-squary, harloquin, scoter, elder, and American and red-breasted merganser dioks may be taken in the 3rd Arkhansa Judicial Divisions west of 182° weet long tund, and in the 2rd and 4th Judicial Divisions west of 182° weet long and in the 2rd and 4th Judicial Divisions west of 182° weet long and red-breasted daily bag limit for old-squary ducks. (b) Scoter, eider, and old-squary ducks. (c) Scoter, eider, and old-squary ducks. Dally bag limit. (c) Missisppolary of the season limit for the redson limit for the redson limit for the redson limit. (d) Missisppolary of the squary ducks. (e) Scoter, eider, and old-squary ducks. (f) Singly or in the 3rd limit for the redson limit for the redson limit. (g) Missisppolary of the squary ducks of the redson limit for the redson limit. (h) Scoter, eider, and old-squary ducks. (h) Scoter, eider,
ı	Ducks	14	Sept. 1-No	Od-squaw, harloquin, scoter, elder, and American and infain Division west of 1828 west longitude, and in the and in the angle of 1828 west longitude, and a lidered by bag limit for old-squaw, harloquin, scoter, and eldered it is not more than 20 singly or in the aggregate of both kinds reaser ducks is 26 singly or in the aggregate of both kinds (b) Scoter, elder, and old-squaw ducks. Ally bag limit
-		Dally bag limits.	-	nd Am ido, and scoter, nggrega gato of uaw (

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4 oct. 1-Doc. 31.
8 opt. 16-Doc. 31.
8 opt. 16-Doc. 31.

Malno Massachusotts Connectiont

1 Wood ducks: Closed season. Mergansen: Dally bug and possession limits may include 1 hooded merganser. American and red-breaded mergansers are to be counted in the daily bag and possession limits on other ducks.

2 Minnesota. Dally bag limit on ducks 16 5 possession limit 10.

3 Geese: Buch limit may not include, in the alternative, more than (a) 2 Canada geese or its subspecies; (b) 2 white-fronted geese; or (c) 1 Canada geose or its subspecies and 1 white-include geese.

4 Louisiana Waterlow! and coots, Nov. 1-Nov. 25 and Dec. 7-Ann. 13: Presided, That for lands and waters of the fact of the center line of the main navigable channed of the Mississippi River between the northerty beamedary of Louisiana to Intitude 31° N., the season shall be Nov. 7-Jan. 15.

5 Mississippi Waterlow! and coots, Nov. 7-Jan. 18: Presided, That for lands and waters of the State of Mississippi Nov. 7-Jan. 18.

6 Mississippi River from the northerty boundary of Louisiana to latitude 31° N., the season shall be Nov. 7-Jan. 18.

6 Ohley Waterlow! In and coots, Oct. 16-Dec. 22: Proiled. That for Pynaluning Reservoir in Ashtabula County, and 18 mile distant in any direction from said reservoir, the season shall be Oct. 10-Dec. 18 and the shooting hours for the area described shall be one-half hour before sunrest. ¹In areas other than those beyond outer harbor lines in the States listed, scoter, elder and old-squaw ducks may be taken only during the open seasons for other ducks. [See § 6.51 (e).] The daily bag and possession limits perscribed for scoter, elder and old-squaw ducks are in addition to the limits prescribed for other ducks taken during the regular season.

(c) Central Flyway States.

Brant

Coots

Geeso (ex-cept mow reeso)

Ducks

Atlantic Flyway States.

3

22

413

78

1 Wood ducks and megansers: Daily bag and possession limits may include 1 wood duck and 1 hooded merganser. American and red-breasted megansers as to be counted in the daily bag and possession limits on other ducks. I deess. Buch limit may not inclind, in the allier med to 2 dansdagees or its subspectes (b) 2 white fronted geese; or (c) 1 Canada gooss or its subspects and 1 white-fronted gooss. Glosed season on snow geese in the pareyined, Anilitin, and Andisha Shoutans.

2 Colorado: Geese, Nov. D-Ani. 7, except in the counties of Routt and Moffet where the season, so far as it affects Animals, Consolos, Costilla, Jackson, Rio Grande, and Siguadie.

3 Wyoming: Geese, Ord: 2-D-Doo, 18, Olosed season on all species of geese in the counties of Wyoming; Geese, Ord: 2-D-Doo, 2: 1, Profield, Think in all areas of the State (except Toton and Goshan Counties and that part of Lincoin County within the drainages of the Sali, Orey's, and Sanke Rivers), the season on geese in Lincoin and Toton out they, shall terminate on Dee. 15; Profield Juriher, That a closed season is prescribed on snow geese in Lincoin and Toton Counties.

¹ Except as provided in footnote 7, the shooting hours for waterfowl and cooks in these States are one-half hour before sunset and for Wilson's sulpe one half-hour before sunsise to sunset.

I Wood ducks and mergansers! Daily hag limit may include I wood duck, possession limit 2. Daily hag and possession limits may include I broaded merganere only. American and red-breasted merganeers are to be counted in the daily hag and possession limits on other ducks. In the daily hag and possession limits on other ducks. 33: Provided, That on Long Island the season shall be Noy. 3-Now York: Waterford and cooks, Oct. 15-Doc. 23: Provided, That on Long Island the season shall be Noy. 3-Jun. II.

New York! Wilson's sulfo, Oot. Is-Nov. Is! Provided, That on Long Island the season shall be Nov. 3-Doo. 2.

I Founsylvana: Waterlovy and gools, Oot. Is-Deo. Is, except in the counties of Inciss, Philadelphia, and Dolaware, and the Delaware Itiver bordering on such counties where the season shall be Nov. 3-Jan. II.

. do. Le Dico, 13. v. 7-Jan, 15. v. 5-Jan, 13. o. 16-Pob, 12.

100 th 40 to 10 to

Nov. 3-Jan. 11 Nov. 2-Jan. 10 Closed season Nov. 7-Jan. 16

(f) Pacific Flyway States.

-	Ducks	Geese (except Ross's . geese)	Coots and Galli- nules (singly or in aggregate)	Brant	Wilson's snipe
Daily bag limits	1 6 1 12	2 6 2 6	25 25	, 3 , 3	. 8
Seasons in: Arizona 2	Oct. 28-J See footn 3. Oct. 13-I See footn Oct. 13-I do	otes I and Dec. 31 ote 5 Dec. 31	Oct. 23-Feb. 9 Nov. 17-Mar. 1 Oct. 13-Dec. 31 Oct. 13-Jan. 25 do. Oct. 13-Dec. 31 Oct. 13-Jan. 25	Closed season	Closed soason. Dec. 1-Dec. 30. Closed season. Oct. 13-Nov. 11. Nov. 17-Dec. 16. Closed season. Nov. 3-Dec. 2.

CONTROL OF DEPREDATING BIRDS

§ 6.61 Depredation permits. Upon receipt of information from the owner, tenant, sharecropper, or other person that migratory birds are injuring his crops or other property on the land on which he resides, or over which he exercises control, together with a statement of the location of the area, the nature of the crops or other interests being injured, the extent of such injury, and the particular species of birds committing the injury, an investigation will be made. and if it is determined from such investigation that the injury complained of is substantial and can be so abated, permits to kill, frighten, or otherwise herd the birds may be issued by the Secretary. Such permits shall specify the time during which, the means and methods by which, the person or persons by whom the birds may be killed, frightened, or herded, the disposition to be made of the birds killed, and such other restrictions, including a requirement for the submission of reports of operations, as may be deemed necessary and appropriate in the circumstances of the particular case.

§ 6.62 Depredating blackbirds and grackles. Any person, without a permit. may kill yellow-headed, red-winged, bicolored red-winged, tri-colored red-winged, and Brewer's blackbirds and all grackles under the conditions and restrictions prescribed in this section when found committing or about to commit serious depredations upon any agricultural crop or ornamental or shade trees.

(a) No birds killed pursuant to this section nor the plumage of such birds shall be sold or offered for sale.

(b) Every person availing himself of the privileges of this section shall permit at all reasonable times, and particularly during any operations thereunder. any Federal or State game or deputy game agent, warden, protector, or other game law enforcement officer free and unrestricted access to the premises on which such operations have been or are

being conducted and shall furnish promptly to such officer whatever information regarding said operations the officer may require.

(c) Nothing in this section shall be deemed to permit the killing of any of the aforesaid birds in violation of any State law or regulation, and if a State permit to kill the birds is required, such permit must be procured before the privileges conferred by this section are exercised.

§ 6.63 Designated species of depredating birds in California. In any county in California in which meadowlarks; horned larks; Gambel's, Nuttall's golden-crowned, white-crowned, and other crowned sparrows; goldfinches; and California woodpeckers, Lewis woodpeckers, and flickers are, under extraordinary conditions, seriously injurious to agricultural or other interests, the agricultural commissioner, without a permit, may kill or cause to be killed under his general supervision and direction, such of the aforesaid migratory birds as may be necessary to safeguard from their depredations any agricultural or horticultural crop in such county, subject to the conditions and restrictions prescribed in this section.

(a) No birds shall be killed except when necessary to protect crops from their depredations, and no birds killed pursuant to this section, or the plumage or any other part thereof, shall be sold or removed from the area upon which they have been killed, but such birds shall be totally destroyed on said area, except that such specimens as may be needed for scientific purposes may be salvaged by or under the direction of the agricultural commissioner or on the order of the State Department of Agriculture or the Secretary.

(b) Any commissioner exercising the privileges conferred by this section shall keep a record of the persons authorized by him to kill such birds and of the number of birds killed by each such person, as well as by himself, and shall submit a report thereon to the Secretary whenever requested so to do and in any event on or before December 31 of each year during the continuance of this section.

§ 6.64 Depredating purple gallinules in Louisiana. Landowners, sharecrop-pers, tenants, and their bona fide employees, actually engaged and employed in the production of rice in Louisiana, without a permit, may shoot purple gallinules (Ionornis martinica) when found committing or about to commit serious depredations on growing crops of rice on the premises owned or occupied by such persons or on which such persons are employed, subject to the following conditions and restrictions prescribed in this section.

(a) No purple gallinules may be killed under this section except from May 1 to August 15, both dates inclusive.

(b) No purple gallinules killed under this section shall be transported or sold or offered for sale except that they may be transported to such place within the vicinity as may be necessary to bury or otherwise destroy their carcasses: Provided, That the Secretary, State agricultural departments, colleges, or other

public institutions may requisition such numbers of the birds so killed as may be needed for scientific investigations: And provided further, That purple gallinules killed under authority of this section may be donated to charitable institutions for food purposes.

(c) Every person availing himself of the privileges of this section shall permit at all reasonable times, and particularly during any operations thereunder, any Federal or State game or deputy game agent, warden, protector, or other game law enforcement officer free and unrestricted access to the premises on which such operations have been or are being conducted and shall furnish promptly to such officer whatever information regarding said operations the officer may require.

(d) Nothing in this section shall be deemed to permit the killing of any of the aforesaid birds in violation of any State law or regulation, and if a State permit to kill the birds is required, such permit must be procured before the privileges conferred by this section are exercised.

(e) Any person exercising the privileges conferred by this section shall keep a record of the number of birds killed by him and shall submit a report thereon to the Secretary whenever requested so to do and in any event on or before December 31 of each year during the continuance of this section.

WILDLIFE DEVELOPMENT AREAS

§ 6.71 Approval of area development program. With respect to any lands which have been or may hereafter be acquired by the United States for future use as a migratory bird sanctuary or other wildlife refuge, subject to an out-standing possessory estate, the owner of such outstanding estate may, in accordance with a program for the development of the area and the limitation of shooting during such development period. approved by the Secretary, take such measures as are calculated to maintain and increase the waterfowl population of the area in question, and engage in-the shooting of migratory birds within the limitations set forth in the approved program.

§ 6.72 Revocation of program approval. Approval of any such program may be revoked by the Secretary upon a finding that the terms of such program have been violated by the proponents thereof. Following such revocation, all rights and privileges derived from the existence of an approved area development program shall cease.

§ 6.73 Notice and hearing. Prior to any determination by the Secretary that the terms of an approved area development program have been or are being violated by the proponent thereof, a notice shall be sent to said proponent specifying the character, time, and locality of the alleged violation and designating a representative of the Secretary with whom the proponent of the program may discuss any controverted issue of fact or interpretation in an effort to reach an amicable agreement of understanding. Thereupon, the said proponent shall cease and desist from the commission of acts specified in such no-

tice for a period of sixty days, or if the case be finally determined during such 60-day period then only until such final determination. If, within 30 days after such notice has been received, no such agreement or understanding is reached then the Secretary may, after allowing such further opportunity for hearing as he deems proper, make and promulgate a final order revoking approval of the development area program. Thereupon, the provisions of § 6.3 shall be fully applicable to the area in question.

A majority of the seasons prescribed herein are identical, so far as opening date is concerned, with those previously prescribed and in effect immediately prior to the publication of this revision. None of the remaining opening dates prescribed herein, and which amend previously existing opening dates, will begin within a period of less than thirty days from the publication hereof. Since this revision of Part 6 does not materially affect privileges heretofore granted, and as it is desirable that its provisions be uniformly applied throughout the hunting seasons (some of which begin on September 1), it has been determined that the revision may become effective when published under the provisions of the exceptions provided in section 4 (c) of the Administrative Procedure Act of June 11, 1946 (60 Stat. 237). Accordingly, this revision shall become effective upon publication.

Issued at Washington, D. C., and dated August 27, 1956.

FRED G. AANDAHL, Acting Secretary of the Interior.

[F. R. Doc. 56-6990; Filed, Aug. 31, 1956; 8:45 a. m.]

TITLE 7—AGRICULTURE

Chapter I—Agricultural Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 53—LIVESTOCK, MEATS, PREPARED MEATS, AND MEAT PRODUCTS (GRADING, CERTIFICATION, AND STANDARDS)

OFFICIAL UNITED STATES STANDARDS FOR GRADES OF VEAL AND CALF CARCASSES AND FOR GRADES OF VEALERS AND SLAUGHTER CALVES

On July 21, 1956, a notice of proposed rule making was published in the Federal Register (21 F. R. 5503) regarding the amendment of the official United States standards for grades of veal and calf carcasses and for grades of vealers and slaughter calves, under the provisions of sections 203 and 205 of the Agricultural Marketing Act of 1946 (7 U. S. C. 1622 and 1624), as amended by Public Law 272, 84th Congress.

After due consideration of all relevant material submitted pursuant to the notice, and under the aforesaid sections of the Agricultural Marketing Act of 1946, the official United States Standards for grades of veal and calf carcasses and for grades of vealers and slaughter calves are amended as specified below.

1. The official United States standards for grades of yeal and calf carcasses (7

CFR 53.107-53.111) are amended to read as follows:

§ 53.107 Differentiation between real, calf, and beef carcasses. Differentiation between veal, calf, and beef carcasses is made primarily on the basis of the color of the lean, although such factors as texture of the lean; character of the fat; color, shape, size, and ossification of the bones and cartilages; and the general contour of the carcass are also given consideration. Typical veal carcasses have a grayish pink color of lean that is very smooth and velvety in texture and they also have a slightly soft, pliable character of fat and narrow, very red rib bones. By contrast, typical calf carcasses have a grayish red color of lean, a harder, flakler type of fat, and somewhat wider rib bones with less pronounced evidences of red color. Calf carcasses with maximum maturity for their class have lean flesh that is usually not more than moderately red in color, their rib bones usually have a small amount of red and have only a slight tendency toward flatness, and such carcasses are not noticeably "spready" or "barrelly" in contour. Such carcasses, when split, have cartilages on the ends of the chine bones that are entirely cartilaginous, there is cartilage in evidence on all vertebrae of the spinal column and the sacral vertebrae show distinct separation. Carcasses with evidences of more advanced maturity than described in this paragraph are classified as beef.

§ 53.108 Classes of veal and calf carcasses. Class determination is based on the apparent sex condition of the animal at time of slaughter. Hence, there are three classes of veal and calf carcasses—steers, helfers, and bulls. While recognition may sometimes be given to these different classes on the market, especially in the case of calf carcasses that are approaching beef in maturity, the differences between the various classes are so slight that accurate description of them is impractical. Therefore, the grade standards which follow are equally applicable to all classes of veal and calf carcasses.

§ 53.109 Application of standards. (a) Veal and calf carcasses are graded on a composite evaluation of three general grade factors-conformation, finish, and quality. These factors are con-cerned with the proportions of the various wholesale cuts and the proportions of fat, lean, and bone in the carcass and the quality of the lean. Carcasses qualifying for any particular grade may vary with respect to their relative development of the three grade factors and there will be carcasses which qualify for a particular grade, some of the characteristics of which may be typical of another grade. Because it is impractical to describe the nearly limitless numbers of such recognizable combinations of characteristics, the standards for each grade describe only carcasses which have a relatively similar development of conformation, finish, and quality and which are also representative of the lower limit of each grade.

(b) The quality of the lean flesh is determined from the development of its color, texture, firmness, and marbling,

as observed in a cut-surface, in relation to the apparent maturity of the animal from which the carcass was produced. In grading carcasses or sides in which direct observation of these characteristics is not possible, quality of the lean is evaluated indirectly from its apparent color and general firmness together with the quantity and quality of certain fat deposits, all in relation to the apparent evidences of maturity. The fat deposits considered in this indirect evaluation of quality, in descending order of their importance, are as follows: (1) The fat intermingled within the lean between the ribs called "feathering", (2) the streaking of fat within and upon the inside flank muscles, (3) the fat covering over the diaphragm muscle or "skirt", (4) the covering of external fat. and (5) the kidney and pelvic fat. The standards for each grade specify only one general level of development of the qualityindicating characteristics described in this paragraph, and these character-istics apply only to carcasses which are typical in maturity for their class. In order to qualify for a specific grade, carcasses with evidences of more advanced maturity than typical for their class are required to have a slightly greater development of these characteristics than described. Conversely, carcasses with evidences of less maturity than typical for their class may qualify for a given grade with a slightly lesser development of these characteristics. Because of the greater range in maturity among calf carcasses, a somewhat greater variation in these evidences of quality is present among carcasses within each grade of that class than is present among carcasses within each grade of veal.

(c) While the standards described rather definite degrees of external finish and of kidney and pelvic fat for each grade of veal and calf, consideration of variations in the quantities of these fats is restricted almost entirely to carcasses of the lower grades which have a development of external and kidney and pelvic fats that is substantially different from their development of feathering, fat streaking in the inside flank muscles and fat covering over the skirt. In such carcasses, variation in the quantities of external fat and of kidney and pelvic fats is given a very limited consideration in the evaluation of quality. In the higher grades, particularly the higher grades of calf, variation in the quantities of these fats is given no consideration. The quality or firmness of the external and kidney and pelvic fats, however, is given consideration as an indicator of quality in all grades.

(d) Inasmuch as all carcasses do not have a comparable development of conformation and quality, examples of the extent to which superiority in quality may compensate for deficiencies in conformation, and vice versa, are indicated for each grade.

(e) The standards for yeal and calf carcasses contained in §§ 53.107-53.111 and those for beef carcasses contained in §§ 53.102-53.106 together provide the basis for grading carcasses within the full range of maturity of the bovine species. Although the grade standards for this full range of maturity are contained in three separate standards, it is

the intent that the three standards be considered as a continuous series. Therefore, in determining the grade requirements for a carcass which has a degree of maturity that is not typical of that specified in one of the three standards, it is necessary to interpolate between the standards for the kind of carcass (yeal, calf or beef) being graded and the standards for the kind of carcass which is most closely adjacent to it in maturity.

Specifications for official § 53.110 United States standards for grades of veal carcasses-(a) Prime. (1) A veal carcass possessing typical, minimum qualifications for the Prime grade is blocky and compact and tends to be broad in proportion to its length. It tends to be thickly fleshed and has a rather plump, full, well-rounded appearance. Rounds tend to be thick and bulging. Loin and back tend to be full and plump. Shoulders and breast tend to be thick.

(2) There is usually a thin covering of firm fat over the rump, loin and back which also usually extends over most of the tops of the shoulders and outsides of the legs. There is a modest amount of extensive feathering between the ribs, a modest amount of fat streaking in the inside flank muscles, and a modest covering of fat over the skirt. The flanks are thick, full and firm. Kidney and pelvic fat is firm and usually is moderately abundant. The cut surface of the lean is moderately firm; fine-textured; grayish pink in color; and velvety to sight and touch.

(3) To qualify for the Prime grade a carcass must possess the minimum requirements for evidences of quality regardless of the extent that its conformation may exceed the minimum requirements for Prime. However, a development of quality which is superior to that specified as minimum for the Prime grade may compensate, on an equal basis and without limit, for a development of conformation which is inferior to that specified for Prime as indicated in the following example: A carcass which has evidences of quality equivalent to the mid-point of the Prime grade may have conformation equivalent to the mid-point of the Choice grade and remain eligible for Prime.

(b) Choice. (1) A veal carcass possessing typical, minimum qualifications for the Choice grade is moderately blocky and compact and tends to be moderately broad in proportion to its length. It is slightly thick-fleshed and has a slightly plump appearance. Rounds are slightly thick and bulging. Loin and back tend to be moderately full and plump. Shoulders and breast tend to be moderately thick.

(2) There is usually a very thin covering of moderately firm fat over the loin and back which also usually partially covers the tops of the shoulders and outsides of the legs. There is a slight amount of feathering between the ribs. a slight quantity of fat streaking in the inside flank muscles, and a slight covering of fat over the skirt. The flanks are moderately thick, full and firm. There is usually a moderate quantity of kidney and pelvic fat which is moderately firm.

The cut surface of the lean is slightly firm; fine-textured; grayish_pink in color; and slightly moist to sight and touch.

(3) To qualify for the Choice grade a carcass must possess the minimum requirements for evidences of quality regardless of the extent that its conformation may exceed the minimum requirements for Choice. However, a development of quality which is superior to that specified as minimum for the Choice grade may compensate, on an equal basis and without limit, for a development of conformation which is inferior to that specified for Choice as indicated in the following example: A carcass which has evidences of quality equivalent to the mid-point of the Choice grade may have conformation equivalent to the mid-point of the Good grade and remain eligible for Choice.

(c) Good. (1) A veal carcass possessing typical, minimum qualifications for the Good grade tends to be slightly blocky and compact and tends to be slightly broad in proportion to its length. It tends to be slightly thin-fleshed and has little or no evidence of plumpness. Loin, back, and rounds are slightly thin and nearly flat. Shoulders and breast

tend to be slightly thin.

(2) There is usually an extremely thin covering of fat over the back and loin but usually practically no fat covering over the tops of the shoulders or outsides of the legs. There are traces of feathering between the ribs, traces of fat streaking in the inside flank muscles, and traces of fat covering over the skirt. The flanks are slightly thick and firm. There is usually a small amount of kidney and pelvic fat. The cut surface of the lean is fine-textured but slightly soft, slightly dark grayish pink in color, and rather moist to sight and touch.

(3) A carcass that has conformation equivalent to at least the mid-point of the Good grade may have evidences of quality equivalent to the minimum for the upper third of the Standard gradeand remain eligible for Good. Also, a development of quality which is superior to that specified as minimum for the Good grade may compensate, without limit, for a development of conformation which is inferior to that specified for Good on the basis of a half grade superior quality for a third of a grade of deficient conformation as indicated in the following example: A carcass which has evidences of quality equivalent to the mid-point of the Good grade may have conformation equivalent to the minimum of the upper third of the Standard grade and remain eligible for Good.

(d) Standard. (1) A veal carcass possessing typical, minimum qualifications for the Standard grade is thinly fleshed and is rangy, angular, and narrow in relation to its length. Rounds are thin and tapering and slightly concave. Loin and back are depressed. Shoulders and breast are thin.

(2) External fat covering is usually limited to very thin patches over the loinand back and a small quantity of fat around the base of the tail. There is practically no feathering between the ribs, practically no streaking of fat in the inside flank muscles, and practically

no covering of fat over the skirt. The flanks are thin and slightly soft. There is usually a slight amount of kidney and pelvic fat. The cut surface of the lean is fine-textured but moderately soft and moist and slightly dark grayish pink in

(3) A carcass that has conformation equivalent to at least the mid-point of the Standard grade may have evidences of quality equivalent to the minimum for the upper third of the Utility grade and remain eligible for Standard. Also, a development of quality which is superior to that specified as minimum for the Standard grade may compensate, without limit, for a development of conformation which is inferior to that specified for Standard on the basis of a half grade superior quality for a third of a grade of deficient conformation as indicated in the following example: A carcass which has evidences of quality equivalent to the mid-point of the Standard grade may have conformation equivalent to the minimum of the upper third of the Utility grade and remain eligible for Standard.

(e) Utility. (1) A veal carcass possessing typical, minimum qualifications for the utility grade is very thinly fleshed and is very rangy and angular and very narrow in relation to its length. Rounds are very thin and moderately concave. Loin and back are very depressed. Shoulders and breast are very thin.

(2) There is usually practically no external fat covering except for very small deposits around the base of the tail and over the outsides of the shoulders. There is no feathering between the ribs, no fat streaking in the inside flank muscles, and no covering of fat over the skirt. The flanks are soft and very thin. There is usually only a very slight amount of kidney and pelvic fat. The cut surface of the lean is soft and moist and dark grayish pink in color.

(3) A carcass that has conformation equivalent to at least the mid-point of the Utility grade may have evidences of quality equivalent to the minimum for the upper third of the Cull grade and remain eligible for Utility. Also, a development of quality which is superior to that specified as minimum for the Utility grade may compensate, without limit, for a development of conformation which is inferior to that specified for Utility on the basis of a half grade superior quality for a third of a grade of deficient conformation as indicated in the following example: A carcass which has evidences of quality equivalent to the mid-point of the Utility grade may have conformation equivalent to the minimum of the upper third of the Cull grade and remain eligible for Utility.

(f) Cull. (1) A typical Cull grade veal carcass is extremely thin-fleshed and is extremely rangy and angular and extremely narrow in relation to its length. Rounds are concave and extremely thin. Loin and back are extremely depressed. Shoulders and breast are extremely thin.

(2) There is usually no external fat covering and no feathering between the ribs nor streaking of fat in the inside flank muscles. The flanks are extremely thin and very soft. There is usually practically no kidney or crotch fat. The cut surface of the lean is very soft and

very moist and dark grayish pink in color.

§ 53.111 Specifications for official United States standards for grades of calf carcasses—(a) Prime. (1) A calf carcass possessing typical, minimum qualifications for the Prime grade is blocky and compact and tends to be broad in proportion to its length. It is thickly fleshed and has a plump, full, wellrounded appearance. Rounds tend to be thick and bulging. Loin and back tend to be full and plump. Shoulders

and breast tend to be thick.

(2) There is usually a slightly thick covering of very firm fat over the back, loin, and rump which also usually completely covers the tops of the shoulders and outsides of the legs. There is a moderate amount of very extensive feathering between the ribs, a moderate quantity of fat streaking in the inside flank muscles, and a moderate covering of fat over the skirt. The flanks are very thick, full, and firm. Kidney and pelvic fat is yery firm and usually is abundant. The cut surface of the lean is firm, fine-textured, light grayish red in color, and velvety to sight and touch. There is a small amount of marbling in the rib eye muscle. Calf carcasses which are approaching beef in maturity and development will have a moderate amount of marbling.

(3) To qualify for the Prime grade a carcass must possess the minimum requirements for evidences of quality regardless of the extent that its con-formation may exceed the minimum requirements for Prime. However, a development of quality which is superior to that specified as minimum for the Prime grade may compensate, on an equal basis and without limit, for a development of conformation which is inferior to that specified for Prime as indicated in the following example: A carcass which has evidences of quality equivalent to the mid-point of the Prime grade may have conformation equivalent to the mid-point of the Choice grade and remain eligible for Prime.

(b) Choice. (1) A calf carcass possessing typical, minimum qualifications for the Choice grade tends to be moderately blocky and compact and tends to be moderately broad in proportion to its length. It tends to be moderately thickfleshed and has a moderately plump appearance. Rounds tend to be moderately thick and bulging. Loin and back tend to be moderately full and plump. Shoulders and breast tend to be mod-

erately thick.

(2) There is usually a moderately thin covering of firm fat over the loin and back which also usually covers most of the tops of the shoulders and outsides of the legs. There is a small amount of rather extensive feathering between the ribs, a small quantity of fat streaking in the inside flank muscles, and a small amount of fat covering over the skirt. The flanks are thick, full and firm. Kidney and pelvic fat is firm and usually is moderately abundant. The cut surface of the lean is moderately firm; finetextured; and light grayish red in color; and there are traces of marbling in the rib eye. Calf carcasses approaching beef in maturity and development have a slight amount of marbling.

(3) To qualify for the Choice grade a carcass must possess the minimum requirements for evidences of quality regardless of the extent that its conformation may exceed the minimum requirements for Choice. However, a development of quality which is superior to that specified as minimum for the Choice grade may compensate, on an equal basis and without limit, for a development of conformation which is inferior to that specified for Choice as indicated in the following example: A carcass which has evidences of quality equivalent to the mid-point of the Choice grade may have conformation equivalent to the mid-point of the Good grade and remain eligible for Choice.

(c) Good. (1) A calf carcass possessing typical, minimum qualifications for the Good grade tends to be slightly blocky and compact and tends to be slightly broad in proportion to its length. It tends to be only slightly thick-fleshed and has a slightly plump appearance. Rounds are slightly thick but have little evidence of plumpness. Loin and back are very slightly full and plump. Shoulders and breast are slightly thick.

(2) There is usually a very thin covering of fat over the loin and back which also partially covers the tops of the shoulders and outsides of the legs. There is a slight amount of feathering between the ribs, a slight quantity of fat streaking in the inside flank muscles, and a slight amount of fat-covering over the skirt. The flanks are moderately thick, full, and firm. There is usually a small amount of kidney and pelvic fat which is moderately firm. The cut surface of the lean is slightly soft; finetextured: slightly dark grayish red in color; and somewhat moist to sight and touch.

(3) A carcass that has conformation equivalent to at least the mid-point of the Good grade may have evidences of quality equivalent to the minimum for the upper third of the Standard grade and remain eligible for Good. Also, a development of quality which is superior to that specified as minimum for the Good grade may compensate, without limit, for a development of conformation which is inferior to that specified for Good on the basis of a half grade superior quality for a third of a grade of deficient conformation as indicated in the following example: A carcass which has evidences of quality equivalent to the mid-point of the Good grade may have conformation equivalent to the minimum of the upper third of the Standard grade and remain eligible for Good.

(d) Standard. (1) A calf carcass possessing typical, minimum qualifications for the Standard grade tends to be thinly fleshed, rangy, and angular and tends to be narrow in relation to its length. Rounds are thin and tapering and very slightly concave. Loin and back are slightly shallow and depressed. Shoulders and breast are thin.

(2) There is usually an extremely thin covering of fat over the back and loin but usually practically no fat covering over the tops of the shoulders or outsides of the legs. There are traces of feathering between the ribs, traces of fat streaking in the inside flank muscles, and traces of fat covering over the skirt. The flanks

are slightly thick and firm. There is usually a slight amount of kidney and pelvic fat. The cut surface is moderately soft and moist and slightly dark grayish red in color.

(3) A carcass that has conformation equivalent to at least the mid-point of the Standard grade may have evidences of quality equivalent to the minimum for the upper third of the Utility grade and remain eligible for Standard. Also, a development of quality which is superior to that specified as minimum for the Standard grade may compensate, without limit, for a development of conformation which is inferior to that specified for Standard on the basis of a half grade superior quality for a third of a grade of deficient conformation as indicated in the following example: A carcass which has evidences of quality equivalent to the mid-point of the Standard grade may have conformation equivalent to the minimum of the upper third of the. Utility grade and remain eligible for Standard.

(e) Utility. (1) A calf carcass possessing typical, minimum requirements for the Utility grade is very thinly fleshed and is very rangy and angular and very narrow in relation to its length. Rounds are very thin and moderately concave. Loin and back are very shallow and depressed. Shoulders and breast

are very thin.

(2) There are usually only a few very thin patches of external fat over the loin' and back and very small deposits of fat around the base of the tail and over the outsides of the shoulders. 'There is practically no feathering, practically no fat streaking in the inside flank muscles, and practically no fat covering over the skirt. The flanks are soft and very thin. There is usually only a very slight amount of kidney and pelvic fat. The cut surface of the lean is soft and moist and dark grayish red in color.

- (3) A carcass that has conformation equivalent to at least the mid-point of the Utility grade may have evidences of quality equivalent to the minimum for the upper third of the Cull grade and remain eligible for Utility. Also, a development of quality which is superior to that specified as minimum for the Utility grade may compensate, without limit, for a development of conformation which is inferior to that specified for Utility on the basis of a half grade superior quality for a third of a grade of deficient conformation as indicated in the following example: A carcass which has evidences of quality equivalent to the mid-point of the Utility grade may have conformation equivalent to the minimum of the upper third of the Cull grade and remain eligible for Utility.
- . (f) Cull. (1) A typical Cull grade calf carcass is extremely thin-fleshed and is extremely rangy and angular and extremely narrow in relation to its length. Rounds are concave and extremely thin. Loin and back are extremely depressed. Shoulders and breast are extremely thin.
- (2) There is usually no external fat covering and no feathering between the day of August 1956. ribs, fat covering over the skirt, nor streaking of fat in the inside flank muscles. The flanks-are extremely thin and very soft. There is usually prac-

tically no kidney or crotch fat. The cut surface of the lean is very soft and very moist and dark grayish red in color.

- 2. Paragraph (d) of § 53.123 of the official United States standards for grades of vealers is amended to read as follows:
- (d) Standard. Vealers possessing the minimum requirements for Standard grade tend to be rangy, upstanding, long and thin of neck, narrow over the back, loin, and rump, and shallow in the twist. They are thin-fleshed, and there is a distinctly sunken or hollowed-out appearance over the back, loin, and rounds. Hips and shoulders appear moderately prominent. There is an extremely thin fat covering over portions of the back and loin that is difficult to detect in the live animal. Such vealers may show the heavy bones, thick hide, prominent hips and shoulders associated with coarseness. or they may show the small bones, tight hide, and angularity denoting overrefinement.
- 3. Paragraph (d) of § 53.124 of the official United States standards for grades of slaughter calves is amended to read as follows:
- (d) Standard. Calves possessing the minimum requirements for Standard grade tend to be rangy, upstanding, long and thin of neck, narrow over the back, loin, and rump, and shallow in the twist. They tend to be thinly fleshed, and there is a slightly sunken or hollowed-out appearance over the back, loin, and rounds. Hips and shoulders appear somewhat prominent. There is a very thin fat covering that is discernible only over portions of the back and loin. Such calves may show the heavy bones, thick hide, prominent hips and shoulders associated with coarseness; or they may show the small bones, tight hide, and angularity denoting over-refinement.

These amendments change the grade name "Commercial" to "Standard" wherever it occurs in the standards conforming them in that respect with the grade names for young slaughter cattle and beef produced therefrom. The changes in phrasing of the veal and calf carcass grade standards will facilitate their interpretation and conform them with color photographs used by the Department of Agriculture to illustrate the minimum requirements of the respective grades. The changes in phrasing will not result in any change in the manner in which the standards will be applied. The amendments correct a typographical error contained in the notice published in the FEDERAL REGISTER of July 21, 1956, in which in referring to permissible compensation by superior quality for inferior conformation the words "conformation" and "quality" were inadvertently reversed in several instances.

The foregoing amendments will become effective on October 1, 1956.

(Secs. 203, 205, 60 Stat. 1087, 69 Stat. 553; 7 U. S. C. 1622, 1624)

Done at Washington, D. C., this 29th

[SEAL] ROY W. LENNARTSON. Deputy Administrator.

[F. R. Doc. 56-7058; Filed, Aug. 31, 1956; 8:50 a.m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Valencia Orange Reg. 84]

PART 922-VALENCIA ORANGES GROWN IN ARIZONA AND DISIGNATED PART OF CALI-FORNIA

LIMITATION OF HANDLING

§ 922.384 Valencia, Orange Regulation 84—(a) Findings. (1) Pursuant to the marketing agreement and Order No. 22, as amended (7 CFR Part 922; 21 F. R. 4392), regulating the handling of Valencia orangès grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amerided (7 U. S. C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the de-clared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure. and postpone the effective date of this section until 30 days after publication thereof in the Federal Register (60 Stat. 237; 5 U.S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The Valencia Orange Administrative Committee held an open meeting on August 30, 1956, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed on or before the effective date hereof.

(b) Order. (l) The quantity of Va-lencia oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a. m., P. s. t., September 2, 1956,

and ending at 12:01 a.m., P. s. t., Soptember 9, 1956, is hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 877,800 cartons;

(iii) District 3: Unlimited movement. (2) All Valencia oranges handled during the period specified in this section are subject also to all applicable size restrictions which are in effect pursuant to this part during such period.

(3) As used in this section, "handled," "handler," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said marketing agreement and order, as amended.

(Sec. 5, 49 Stat. 753, as amended; 7 U.S. C. 608c)

Dated: August 31, 1956.

G. R. Grange, SEAL Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 56-7124; Filed, Aug. 31, 1956; 11:23 a.m.]

[Lemon Reg. 657]

PART 953-LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.764 Lemon Regulation 657—(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 20 F. R. 8451; 21 F. R. 4393), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S. C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other, available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U.S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein was promptly

submitted to the Department after an open meeting of the Lemon Administrative Committee on August 29, 1956, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) Order. (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., September 2, 1956, and ending at 12:01 a. m., P. s. t., September 9, 1956, is hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 232,500 cartons;

(iii) District 3: Unlimited movement.
(2) As used in this section, "handled,"
"District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U.S.C.

Dated: August 30, 1956.

G. R. GRANGE. Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 56-7089; Filed, Aug. 31, 1956; 8:55 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I-Food and Drug Administration, Department of Health, Education, and Welfare

PART 146-GENERAL REGULATIONS FOR THE CERTIFICATION OF ANTIBIOTIC AND ANTI-BIOTIC-CONTAINING DRUGS

ANIMAL FEED CONTAINING ANTIBIOTIC DRUGS

By virtue of the authority vested in the Secretary of Health, Education, and Welfare by the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, 61 Stat. 11, 63 Stat. 409, 67 Stat. 389; sec. 701, 52 Stat. 1055; 21 U. S. C. 357, 371) and delegated to the Commissioner of Food and Drugs by the Secretary (20 F. R. 1996), the regulations for certification of antibiotic and antibiotic-containing drugs (21 CFR Part 146; 21 F. R. 1417) are amended as indicated below:

Section 146.26 Animal feed containing penicillin * * * is amended as follows:

- 1. Paragraph (a) is amended by adding thereto the following new subpara-
- (5) Furazolidone 0.00083 percent, 3nitro-4-hydroxyphenol arsonic acid not read "HEROLD C. HUNT".

less than 0.0025 percent and not more than 0.0075 percent, with or without nitrofurazone 0.0056 percent.

- 2. Paragraph (b) (1) is amended by adding thereto the following new subdivision:
- (v) Furazolidone 0.00083 percent, 3nitro-4-hydroxyphenol arsonic acid not less than 0.0025 percent and not more than 0.0075 percent, and nitrofurazone 0.0056 percent.

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since it was drawn in collaboration with interested members of the affected industry. since it relaxes existing requirements, and since it would be against public interest to delay providing for the amendments set forth above.

I further find that animal feeds containing antibiotics and the other drugs specified in these amendments need not comply with the requirements of sections 502 (1) and 507 of the Federal Food, Drug, and Cosmetic Act in order to insure their safety and efficacy, provided they comply with the regulations set forth in § 146.26.

This order shall become effective upon publication in the FEDERAL REGISTER, since both the public and the affected industry will benefit by the earliest effective date, and I so find.

(Sec. 701, 52 Stat. 1955; 21 U. S. C. 371. Interprets or applies sec. 507, 59 Stat. 463, as amended; 21 U.S. C. 357)

Dated: August 27, 1956.

GEO. P. LARRICK, [SEAL] Commissioner of Food and Drugs.

[F. R. Doc. 56-7036; Filed, Aug. 31, 1956; 8:46 a.m.] •

TITLE 20—EMPLOYEES' **BENEFITS**

Chapter III—Bureau of Old-Age and Survivors Insurance, Social Security Administration, Department of Health, Education, and Welfare

[Regs. 4, further amended]

PART 404-FEDERAL OLD-AGE AND SUR-VIVORS INSURANCE (1950 -

COVERAGE OF EMPLOYEES OF STATE AND LOCAL GOVERNMENTS; FILING OF SINGLE WAGE REPORT WHERE INDIVIDUAL IS JOINTLY EMPLOYED BY MORE THAN ONE EMPLOYER

Correction

In Federal Register Document 56-6585, appearing on page 6129 of the issue for Thursday, August 16, 1956, the following changes should be made:

- 1. The subject headnote should read as set forth above.
- 2. The last three lines of § 404.1250 (d) (3) should read: "employed (for provisions relating to the furnishing of wage statements to employees, see § 404.-1230)."
- . 3. The approval signature should

Chapter II—Civil Aeronautics Administration, Department of Commerce TITLE 14—CIVIL AVIATION

[Amdt. 211]

PART 609-STANDARD INSTRUMENT APPROACH PROCEDURES

The standard instrument approach procedure alterations appearing hereinafter are adopted to become effective when indicated in order to promote safety. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required.

Part 609 is amended as follows: PROCEDURE ALTERATIONS

Nors: Where the general classification (LFE, VAE, ADF, ILS, GCA, or VOR), location, and procedure number (if any) of any procedure in the amendments which follow, are ideal with an existing procedure is to be substituted for the existing one, as of the effective date given, to the extent that it differs from the existing procedure; where a procedure is revoked; new procedures are to be placed in appropriate alphabetical sequence within the section amended.

Bearings, headings, and courses are magnetic. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles. Elevations and altitudes are in feet, MSL. Collings are in feet above already for such an approach is conducted at the below named arroot, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted at the below named arroot, it shall be in accordance with the following instrument approach procedure for such arror and interested by the Administrator of Oivil Aeronautics. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. LFR STANDARD INSTRUMENT APPROACH PROCEDURE 1. The low frequency range procedures prescribed in §,609.6 are amended to read in part:

	More than 2	Moro (moro planes) specified or if landing not accomting than 65 knots knots knots)	11 12 \	200-1 200-154 Within 4 miles after passing Stanne 600-1 600-154 Intersection climb direct to the 600-1 600-1 600-1 800-2 800-2 800-2 This procedure not approved for ADF approach.	305-1 300-1 Within 2.3 miles, climb to 1,400' on 500-15 Wood (263°) track within 15 400-1 400-1 1100-1 1100-1 1100-1 1100-1 1100-1 1100-1 1100-1 1100-1 1100-1 1100-1 1100-1 1100-1 1100-1 1100-1 1100-1 1100-1 1100-1 1100
 Celling and visibility minimums	2 engines or less 65 knots han 6 knots knots			800-7-1-1-1-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0	800-1-1-00-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1
Condition 65 on			œ	S-dn A-dn A-dn	2.5 4.5 4.3 4.3 4.3 4.3 4.3 4.3 4.3 4.3 4.3 4.3
	Course and distance,	alrport	7.	From Stanne n Intersection 0 949-4	
 Minimum	Minimum altitude over facility on final approach course (ft.)		9	Over Stanne Intersection 1,000	
١	Procedure turn (—) side of final approach course (outbound and inbound);		20	Not authorized	N stde of B course: 084° outbound. 264° ubbound. 1,400° within 10 miles.
	Minimum altitude (ft.)			1, 000 (final)	1,400
	Course	distance.	8	052—6	8 8 8
	Initial approach to facility		æ	To Stanne Intersection from Bay Intersection (LFR).	Orestview VOR
	City and State; alrport name, elevation; facility; class and identification; procedure No.	offective date	, T	BRIDGEPORT, CONN. Bridgeport Airport, 9. MRLW-EADR, Procedure No. 2. (Usine Stame Intersection 133° radial ILT, VOR and SW course BDR-LFRI, Effective date: September 29, 1936.	CRESTVIEW, FLA. Crestview, 274' SRAZ-Cew, Frocedure No. 1. Amendment No. 1. Effective date: August 29, 1936. Supersodes Amendment 4, dated June 23, 1934. Molor changes: Nautical dis- tunces. Reviso straight-in minima. New formst.

2. The very high frequency omnirange (VOR) procedures prescribed in § 609.9 are amended to read in part:

VOR STANDARD INSTRUMENT AFFROACH PROCEDURE

	<u>. = </u>	or Il inding not accomplished	12	Within 6.1 miles, olimb to 1,400' on course 087° within 16 miles. Air carrier use of airport not authorized.	Within 6.4 miles, elimb to 3,000 on midia 335° within 10 miles. DATE men sea lovel altitudes after passing MGW VOR on final mile, 2,500°	2 miles, 2,400 4 miles, 2,400 5 miles, 2,500 6 miles, 1,000
nums	More than 2	ongines; more than 65 , knots	#.	300-1 500-134 400-1 800-2		·
lity minic	2 ongines or less	Moro than 65 knots.	10	800-1 800-1 800-1	.	
Colling and visibility minimums	2 ongino	65 knots or less	8	800-1 600-1 600-1 800-2	ME 300-1 600-1 800-2	DME 300-1 1,400-2 1,600-3
Colling		Condition	8	T-dn O-dn B-ln o A-dn	With DAIR	Mile Pool
	Course and distance,	adrport	7 .	100-0,1	338-0.4	. •
	altitudo ovor facility	on nuni approach courso (ft.)	9	006	3,000	
Procedure turn (—) sido of final approach courso (outbound and inbound); alittudes; limiting dis- tances			ئي. 5	S side of course; 23% outbound. 10% inhound. 140% yelthin 10 miles. Beyond 10 miles not authorized.	E side of course: 168° outbound. 339° inbound. 4,000° within 10 miles. Procedure turn need not	DME.
	Minimum fi	(tr.)	4	1,400	3,000	•
	Course	distanco	က	270—8.8	338—10	`
\$	Initial approach to facility	rom-	7	Orestviow LFR.	10 miles fix radial 188° (final).	•
-	Olty and State; alrport name, cloyation; facility: class and	identilization; procedure No.; effective date	T,	ORESTVIEW, FLA. Grestvow, 274, DVOR-OEW, Procedure No. 1. Amendment No. 1. Effective dates August 29, 1936, Supersedes Amendment 4, dated June 23, 1934, Anjor changes, Nautical dis- fances. Revise straight-in mintan. New format.	MORGANTOWN, W. VA. Morgantown, 1,256; VOR-DME-MGW. Procedure N. V.	Linceiro dato: soptemor zz, 10th. Supercedes Amendment Orfg- linal, dated March 1, 18th. Mojor changes: Reduces land- ling minimums by use of DME, Revises procedure turn.

3. The instrument landing system procedures prescribed in § 609.11 are amended to read in part:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles. Elevations and altitudes are in feet, MSL. Collings are in feet above alreating and courses are magnetic. Distances are in accordance with a different procedure for such alreation in accordance with a different procedure for such alternation in the particular area or as set forth below:

Minimum altitude(s) shall correspond with these established for an oute operation in the particular area or as set forth below:

-	If visual contact not established upon descent to authorized landing minimum or flouding	not accomplished—	14	to 2,500' on NW course. or within 5.3 miles LOM	r) climb to 2,500° on course, rithin 20 miles. When didd by ATC turn right,	b to 2,100' on NE course. -LFR within 20 miles.	section ES course AUS ILS 240° bearing to "OMK" obeacon.	*2,000° will intercept glide stope 0.6 mile after passing. OM. 400-1 required when G/S not used. No approach lights. All installed components of ILS must be opending or alternate militan of 800-2 apply. All alternate on settleded to 300-1 minimums for takeoif on runways 3-21, 16L-54R, and 12L _T 30R.	Within 2.4 miles, elimb to 2,000' on SE course ILS within 20 miles When directed by ATCI	left, climb to 2,000' on 1100' within 20 miles.	minimums of 300-1 for takeoff on runways 3-21, 16L-34E, and 12L-30E.	4.3 miles, after passing LOM (ADF), climb to 2,500 proceeding to Charleston LFR, or	an directed by ATC) climb	VOK. Designed for new with comparation or not small.	cable to this proceedure.
	0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0							Within 54	turn radis	12L-	4.3 (AD				
Imums	Mor		컶.	200-15	300-34	.1	2-009	8-008	200-15 500-15 500-135	<u>' </u>		200-15 600-155		88	800-2
iity mir	engines or less	More than 65 knots	12	300-1 500-1	300-34	1	600-2	800-2	777 888 888		~	888 777	200-1	***	800-2
Coiling and visibility minimums	2 engine	65 knots or less	11	300-1 500-1	300-34	400-1	2-009	8002	223	2008		7.7 88 88	5005	1,555	2-00-2
Colling t	_	Condi- tion	10	ff O-da	S-dn 30L	ADF	A-dn ILS	ADF	#0 #0 #	A Tub Tub		흡	S-dn 23 ILS	A.D.A.	A-dn
de slope	Middle marker							lope	Inter- section	Runway 12 2.4 miles	edols	3			
Altitude of gil	Altiful and property of the pr						No glide slope	Intersection 2,300;		No glide slope	o ji				
	Minimum alti- tude at glide slope intercep-	slope interesption in the superinteresption in									1,800 over LOM			-	
Procedure turn	Procedure turn (-) side of final approach course outse of those approach course outselves; limiting distances in the course; limiting distances in the course; limiting approach of the course; listed of SE course; lists outselves, size in bound,					W side of NW	2,600 within 10	tion.	N side of NE course:	230° inbound. 2,300° within 10	miles.	_			
	Mint	•	٥		1,900		1,700		2, 500	2,300	1, 400	3, 500	2,500	2, 000	2, 500
		and dis-	4		1181.3	205-25.0	305-8.2		260—5.5	125-6.6	125-4.6	230-10	092—12	009-10	173—23
Transition to ILS		Š.	8	ом.	NW course ILS.	SE course ILS	LOM		Plateau Intersection.	Plateau Intersection.	Burnet Intersection.	ILS-LOM	ILS-LOM	ILS-LOM	ILS-LOM
		From-	2	Austin VOR.	Austin LFR			(final).	AUS VOR.	Lake Travis Intersection	Plateau Intersection (final).	Intersection NE course ILS and bearing 254° to	OHW LFR	CEM YOR	Gay Intersection
	City and State; alread from the selection; design and identification; design and identification in the selection of the						AUSTIN, TEX. Muoller, 631'.	VOR-AUS.	Amondment No. 1. Effective date: August 29, 1986. Supersedes Amond- ment Original, dated August 11, 1986. Major changes: Revise air carrier takeoff note.	CHARLESTON, W VA. Kanawha County, 981'.	LOM-CH. Combination ILS and	ADF.	Anneaument 100. o. Elicetive date: September 20, 1956. Supersedes ILS-ADF Amendment 5, dated Aprill, 1954. Major changes: Transition from Gay Intersection added.		

to 2,200', turn right and proceed to

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V-qu Y-데

OR

or, 16R, 27L, 33L, 3.

8-dn S-dn

16R

9R.

elivo dato: September 29, 1956. resoles Amendment Original, dated 27, 1956. rebanges: Adds alternate minima,

27L, 33L, 3....

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400-1

26 1-98 1-00+

20-72 20-72

200-34

200-12

The ground controlled approach procedures prescribed in § 609.13 are amen ded to read in part;

GOA STANDARD INSTRUMENT APPROACH PROCEDURE

Boarings, haddings, and courses are magnetic. Note: Distances are in nautical miles uniess otherwise indicated, except visibilities which are in statute miles. Elevations and altitudes are in feet, MBL. Collings are in feet above to do distingt an interest and a statute miles. Elevations and altitudes are in feet, MBL. Collings are in feet above between the ballowing instrument approach is conducted at the below named airport, it shall be in accordance with a different proceedure of Olyil Accounties. Initial approach a shall be in accordance with a different procedure for such an interest and a shall be in a statute on the feet of the interest of

directed by radar controller; (O) visual con	stage is not established upon descen	A) communication to to authorized in	n on Annl a Iding minim	properties is lound; or (D)	st for more t if landing is	han 5 second not accompli	s during a P	A R approac	pt when the d, or for mor	directed by radar controller; (2) visual contact is not established upon descent to authorized landing minimums; or (D) illanding is not accomplished.
	•			Collin	Colling and visibility minimums	ity minimur	51			
Ofte and State almost name almost	Radar torminal area: manauver-			Precisi	Precision approach (PAR)	(PAR)	Surveille	Surveillance approach (ASR)	h (ASR)	
elevation; effective date	ing altitudes by sectors and limiting distances	Runway No. Condition	Condition	2 enginc	2 engines or less	More than 2 engines	2 engines or less	s or less	More than 2 engines	Missed approach procedure
				05 knots or less	Over 65 knots	Over 65 knots	05 knots or less	Over 65	Over 65	
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ATLANTA, GA.	Sectors measured from element.	15					,	•	2	11
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These procedures shall become effective on the dates indicated on the procedures.

(Sec. 208, 62 Stat. 684, as amended; 49 T. S. O. 425. Interpret or apply sec. 601, 62 Stat. 1007, as amended; 49 T. S. O. 551)

[F. R. Doc. 56-6892; Filed, Aug. 31, 1956; 8:45 a. m.]

JAMES T. PKLE, Acting Administrator of Civil Aeronaulies.

In the Matter of City Specialty Stores, Inc., a Corporation, Doing Business' Uniter the Trade Names of Oppenheim-Collins and Franklin Simon

Ing examiner on the complaint of the Commission—charging a corporation in New York City operating the retail chains of Oppenhelm-Collins and Frank-States, with violating the Fur Products Labeling Act through failing to disclose This proceeding was heard by a hear-In Simon stores in the eastern United in advertisements in newspapers and certain fur products, the fact that otherwise the names of animals produc-ing certain fur products, the fact that and the country of origin of certain furs; certain products were artificially colored

tious; misrepresenting savings by means of comparative price claims not based on current market values; and misrepresenting value of products—and an agreement between counsel containing consent senting prices as reduced from purported regular prices which were in fact ficti-

order to cease and desist,
On this basis, the hearing examiner
made his initial decision and order to cease and desist which became, on August 17, the decision of the Commission. The order to cease and desist is dered, That respondent, City Stores, Inc., a corporation, ordered, ş

16—COMMERCIAL **PRACTICES**

Chapter I-Federal Trade Commission [Docket 6502]

PART 13-DIGEST OF CEASE AND DESIST

CITY SPECIALTY STORES, INC., ETC.

Subpart—Advertising falsely or misleadingly: § 13.30 Composition of goods: Fur Products Labeling Act; § 13,73 Formal regulatory and statutory requirements: Fur products Labeling Act; Prices: Comparative; exagger-\$ 13,155

deceptively, to make material disclosure; § 13.1846 Composition: Fur Products. Labeling Act; § 13.1862 Formal regulatory and statutory requirements; Fur ated as regular and customary; § 13.285 Value. Subpart—Neglecting, unfairly or Products Labeling Act; § 13.1865 Manusacture or preparation; § 13,1870 Nature: Fur Products Labeling Act; § 13.1900 Source or origin: Fur Products Labeling Act: Place,

(Sec. 6, 38 Stat 721; 15 U. S. C. 46. Interpret or apply Sec. 6, 36 Stat. 719, as amended; Sec. 8, 05 Stat. 179; 15 U. S. O. 45, 091)

doing business under the trade names of Oppenheim-Collins or Franklin Simon, or under any other name, and its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction into commerce, or the sale, advertising, or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product, or in connection with the sale, advertising, offering for sale, transportation, or distribution of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as "commerce", "fur" and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

Falsely or deceptively advertising fur products through the use of any advertisement, representation, public announcement, or notice, which is intended to aid, promote or assist, directly or indirectly, in the sale or offering for sale of fur products, and which:

1. Fails to disclose:

(a) The name or names of the animal or animals producing the fur or furs contained in the fur products as set forth in the Fur Products Name Guide, and as prescribed under the rules and regulations:

tions;
(b) That the fur products contain or are composed of bleached, dyed, or otherwise artificially colored fur when such is a fact:

(c) The name of the country of origin of imported furs contained in fur products;

- 2. Contains the name or names of any animal or animals other than the name or names provided for in paragraph 5 (a) (1) of the Fur Products Labeling Act;
- 3. Represents directly or by implication;
- (a) That the regular or usual price of any fur product is any amount which is in excess of the price at which the respondents have usually and customarily sold such products in the recent regular course of their business;

(b) That fur products are of a certain value or quality unless such representations or claims are true in fact:

4. Makes use of comparative prices or percentage savings claims unless such compared prices or claims are based upon the current market value of the fur product or upon a bona fide compared price at a designated time.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That respondent City Specialty Stores, Inc., a corporation, doing business under the trade names of Oppenheim-Collins and Franklin Simon, shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with the order, to cease and desist.

Issued: August 17, 1956.

By the Commission, Commissioner Gwynne not participating.

ISEALI ROBERT M. PARRISH, Secretary.

[F. R. Doc. 56-7035; Filed, Aug. 31, 1956; 8:45 a.m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural R e s e a r c h Service, Department of Agriculture

Subchapter A-Meat Inspection Regulations

PART 18—REINSPECTION AND PREPARATION OF PRODUCTS

GLANDS AND ORGANS FOR USE IN PREPARING PHARMACEUTICAL, ORGANOTHERAPEUTIC, OR TECHNICAL PRODUCTS

On July 25, 1956, there was published in the Federal Register (21 F. R. 5594) a notice of a proposed amendment of \$18.15 of the Meat Inspection Regulations (9 CFR 18.15). After due consideration of all relevant matters submitted in connection with the notice, and pursuant to the authority conferred by the Meat Inspection Act, as amended (21 U. S. C. 71-91) and section 306 of the Tariff Act of 1930 (19 U. S. C. 1306), the aforesaid section of the regulations is hereby amended to read as follows:

§ 18.15 Glands and organs for use in preparing pharmaceutical, organotherapeutic, or technical products. (a) (1) Glands and organs which are not used as food products, such as cotyledons, ovaries, prostate glands, tonsils, spinal cords, and detached lymphatic, pineal, pituitary, parathyroid, suprarenal, and thyroid glands, may be shipped interstate either by establishments operating under inspection or by those which do not operate under inspection: Provided, That the containers shall be plainly

marked "For pharmaceutical purposes," "For organotherapeutic purposes," or "For technical purposes," without any reference to inspection.

(2) Organs in this category may be brought into and stored in edible product departments of inspected establishments or shipped with edible product if packaged in suitable containers which will in no way interfere with the maintenance of sanitary conditions or constitute an

interference with inspection.

(b) Glands or organs which are regarded as food products, such as pancreatic glands, livers, testicles, and thymus, may be shipped interstate or brought into official establishments for pharmaceutical, organotherapeutic, or technical purposes, only if U. S. inspected and passed and so identified.

The purpose of the foregoing amendment is to include pancreatic glands in the category of edible products and make this a food material subject to all requirements of the Meat Inspection Regulations.

This amendment shall become effective upon the expiration of 30 days after the date of publication in the FEDERAL REGISTER.

(Ch. 2907, 34 Stat. 1260, sec. 306, 46 Stat. 689; 19 U. S. C. 1306, 21 U. S. C. 71-91)

Done at Washington, D. C., this 28th day of August 1956.

[SEAL] M. R. CLARKSON,
Acting Administrator,
Agricultural Research Service.

[F. R. Doc. 56-7059; Filed, Aug. 31, 1956; 8:50 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service
17 CFR Part 1014 1

[AO-287]

Tomatoes Grown in Lower Rio Grande Valley in Texas

NOTICE OF HEARING WITH RESPECT TO PRO-POSED MARKETING AGREEMENT AND ORDER

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U.S. C. 601 et seq.; 68 Stat. 906, 1047), and in accordance with the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR 900.0 et seq.), notice is hereby given of a public hearing to be held in the District Courtroom, District Courthouse, Edinburg, Texas, at 9:30 a.m., c. s. t., September 24, 1956, with respect to a proposed marketing agreement and order authorizing regulation of the handling of tomatoes grown in the Lower Rio Grande Valley in the State of Texas. The proposed marketing agreement and order have not received the approval of the Secretary of Agriculture.

The public hearing is for the purpose of receiving evidence with respect to economic and marketing conditions which relate to the provisions of a marketing agreement and order hereinafter set forth, or appropriate modifications thereof.

Growers and shippers of the Lower Rio Grande Valley in the State of Texas requested a hearing on the following proposed marketing agreement and order authorizing regulation of the handling of tomatoes in the proposed production area.

DIFINITIONS

§ 1014.1 Secretary. "Secretary" means the Secretary of Agriculture of the United States, or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act; in his stead.

§ 1014.2 Act. "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. Sl. C. 601 et seq.; 68 Stat. 906, 1047).

- § 1014.3 Person. "Person" means an individual, partnership, corporation, association, or any other business unit.
- § 1014.4 Production area. "Production area" means all territory in the counties of Cameron, Hidalgo, Starr, and Willacy in the State of Texas.
- § 1014.5 To matoes. "Tomatoes" means all varieties of the edible fruit (lycopersicon esculentum) commonly known as tomatoes and grown within the production area.
- § 1014.6 Handler. "Handler" is synonymous with "shipper" and means any person (except a common or contract carrier of tomatoes owned by another person) who handles tomatoes or causes tomatoes to be handled.
- § 1014.7 Handle. "Handle" or "ship" means to transport, sell, or in any other way to place tomatoes in the current of commerce within the production area or between' the production area and any point outside thereof.
- § 1014.8 *Producer.* "Producer" means any person engaged in a proprietary capacity in the production of tomatoes for market.
- § 1014.9 Grading. "Grading" is synonymous with "preparation for market" and means the sorting or separation of tomatoes into grades, sizes, maturities, and packs for market purposes.
- § 1014.10 Grade and size. "Grade" means any one of the established grades of tomatoes and "size" means any one of the established sizes of tomatoes as defined and set forth in U. S. Standards for Fresh Tomatoes (§§ 51.1855 to 51.1876 of this title) or U. S. Consumer Standards for Fresh Tomatoes (§§ 51.1900 to 51.1913 of this title), both issued by the United States Department of Agriculture, or amendments thereot, or modifications thereof, or variations based thereon, recommended by the committee and approved by the Secretary.
- § 1014.11 Pack. "Pack" means any of the packs of tomatoes as defined and set forth in the United States Standards for Fresh Tomatoes issued by the United States Department of Agriculture (§§ 51.1855 to 51.1876 of this title), or any pack of tomatoes recommended by the committee and approved by the Secretary.
 - § 1014.12 Maturity. "Maturity" means various degrees of ripeness for tomatoes as established by the committee with approval of the Secretary.
 - § 1014.13 Container. "Container" means a box, bag, crate, hamper, basket, package, tube, bulk load or any other type of unit used in the packaging, transportation, sale, shipment, or handling of tomatoes.
 - § 1014.14 Varieties. "Varieties" means and includes all classifications or subdivisions of tomatoes according to those definitive characteristics now or hereafter recognized by the United States Department of Agriculture.
 - § 1014.15 Committee. "Committee" means the Texas Valley Tomato Committee, established pursuant to § 1014.22.

- § 1014.16 Fiscal period. "Fiscal period" means the period beginning August 1 and ending July 31 following.
- § 1014.17 District. "District" means each one of the geographic divisions of the production area initially established pursuant to § 1014.24 or as reestablished pursuant to § 1014.25.
- § 1014.18 Export. "Export" means shipment of tomatoes beyond the boundaries of continental United States.

COMMUTTEE

- § 1014.22 Establishment and membership. (a) The Texas Valley Tomato Committee, consisting of 9 producer members, is hereby established. For each member of the committee there shall be an alternate.
- (b) Each person selected as a committee member or alternate shall be an individual who is a producer, or an officer or an employee of a corporate producer, in the district for which selected and a resident of the production area.
- § 1014.23 Term of office. (a) The term of office of committee members and their respective alternates shall be for one year and shall begin as of August 1 and end as of July 31.
- (b) Committee members and alternates shall serve during the term of office for which they are selected and have qualified, or during that portion thereof beginning on the date on which they qualify during such term of office and continuing until the end thereof, and until their successors are selected and have qualified.
- § 1014.24 Districts. For the purpose of determining the basis for selecting committee members the following districts of the production area are hereby initially established:
- District No. 1. The County of Cameron in the State of Texas;
- District No. 2. The County of Hidalgo in the State of Texas:
- District No. 3. The County of Starr in the State of Texas; and
- District No. 4. The County of Willacy in the State of Texas.
- § 1014.25 Redistricting. The _committee may recommend, and pursuant thereto, the Secretary may approve, the reapportionment of members among districts, and the reestablishment of districts within the production area. In recommending any such changes, the committee shall give consideration to: (a) Shifts in tomato acreage within districts and within the production area during recent years; (b) the importance of new production in its relation to existing districts: (c) the equitable relationship of committee membership and districts; (d) economies to result for producers in promoting efficient administration due to redistricting or reapportionment of members within districts; and (e) other relevant factors. No change in districting or in apportion-ment of members within districts may become effective less than 30 days prior to the date on which terms of office begin each year and no recommendations for such redistricting or reapportionment may be made less than six months prior to such date.

- § 1014.26 Selection. The Secretary shall select initially three members and their respective alternates from District 1; four members and their respective alternates from District 2; one member and his alternate from District 3; and one member and his alternate from District 4.
- § 1014.27 Nomination. The Secretary may select the members of the committee and alternates from nominations which may be made in the following manner:
- (a) A meeting or meetings of producers shall be held in each district to nominate members and alternates for the committee. For nominations to the initial committee, the meetings may be sponsored by the United States Department of Agriculture or by any agency or group requested to do so by such department. For nominations for succeeding members and alternates on the committee, the committee shall hold such meetings or cause them to be held prior to June 15 of each year, after the effective date of this subpart;
- (b). At each such meeting at least one nominee shall be designated for each position as member and for each position as alternate member on the committee.
- (c) Nominations for committee members and alternates, shall be supplied to the Secretary in such manner and form as he may prescribe, not later than July 15, of each year:
- (d) Only producers may participate in designating nominees for members and alternates on the committee. In the event a person is engaged in producing tomatoes in more than one district, such person shall elect the district within which he may participate as aforesaid in designating nominees; and
- (e) Regardless of the number of districts in which a person produces tomatoes, each such person is entitled to cast only one vote on behalf of himself, his agents, subsidiaries, affiliates, and representatives in designating nominees for committee members and alternates. An eligible voter's privilege of casting only one vote as aforesaid shall be construed to permit a voter to cast one vote for each position to be filled in the respective district in which he elects to vote.
- § 1014.28 Failure to nominate. If nominations are not made within the time and in the manner specified in § 1014.27, the Secretary may, without regard to nominations, select the committee members and alternates, which selection shall be on the basis of the representation provided for in §§ 1014.24 through 1014.26 inclusive.
- § 1014.29 Acceptance. Any person selected as a committee member or alternate shall qualify by filing a written acceptance with the Secretary within ten days after being notified of such selection.
- § 1014.30 Vacancies. To fill committee vacancies, the Secretary may select such members or alternates from unselected nominees on the current nominee list from the district involved, or from nominations made in the manner specified in § 1014.27. If the name of

nominees to fill any such vacancy are not made available to the Secretary within 30 days after such vacancy occurs, such vacancy may be filled without regard to nominations, which selection shall be made on the basis of the representation provided for in §§ 1014.24 through 1014.26, inclusive.

§ 1014.31 Alternate members. An alternate member of the committee shall act in the place and stead of the member-for whom he is an alternate, during such member's absence. In the event of the death, removal, resignation, or disqualification of a member, his alternate shall act for him until a successor of such member is selected and has qualified.

§ 1014.32 Procedure. (a) Six members of the committee shall be necessary to constitute a quorum and six concurring votes shall be required to pass any motion or approve any committee action.

(b) The committee may meet by telephone, telegraph, or other means of communication and any vote cast at such a meeting shall be promptly confirmed in writing: *Provided*, That when any assembled meeting is held, all votes shall be cast in person.

§ 1014.33 Expenses and compensation. Committee members and alternates may be reimbursed for expenses necessarily incurred by them in the performance of duties and in the exercise of powers under this part.

§ 1014.34 Powers. The committee shall have the following powers:

 (a) To administer the provisions of this part in accordance with its terms;

(b) To make rules and regulations to effectuate the terms and provisions of this part:

(c) To receive, investigate, and report to the Secretary complaints of violation of the provisions of this part; and

(d) To recommend to the Secretary amendments to this part.

§ 1014.35 Duties. It shall be, among other things, the duty of the committee:

(a) At the beginning of each term of office, to meet and organize, to select a chairman and such other officers as may be necessary, to select subcommittees of committee members, and to adopt such rules and regulations for the conduct of its business as it may deem advisable:

(b). To act as intermediary between the Secretary and any producer or han-

(c) To furnish to the Secretary such available information as he may request;

(d) To appoint such employees, agents, and representatives as it may deem necessary and to determine the salaries and define the duties of each such person:

(e) To investigate from time to time and to assemble data on the growing, harvesting, shipping, and marketing conditions with respect to tomatoes:

(f) To prepare a marketing policy;(g) To recommend marketing regula-

tions to the Secretary;

(h) To recommend rules and procedures for, and to make determinations in connection with, issuance of certificates of privilege or exemptions, or both;

(i) To investigate an applicant's claim for exemptions;

(j) To keep minutes, books, and records which clearly reflect all of the acts and transactions of the committee and such minutes, books and records shall be subject to examination at any time by the Secretary or his authorized agent or representative. Minutes of each committee meeting shall be reported promotly to the Secretary:

- (k) At the beginning of each fiscal period, to prepare a budget of its expenses for such fiscal period, together with a

report thereon;

(1) To cause the books of the committee to be audited by a competent accountant at least once each fiscal period, and at such other time as the committee may deem necessary or as the Secretary may request. The report of such audit shall show the receipt and expenditure of funds collected pursuant to this part. A copy of each such report shall be furnished to the Secretary and a copy of each such report shall be made available at the principal office of the committee for inspection by producers and handlers; and

(m) To consult, cooperate, and exchange information with other marketing agreement committees and other individuals or agencies in connection with all proper committee activities and objectives under this part.

EXPENSES AND ASSESSMENTS

§ 1014.40 Expenses. The committee is authorized to incur such expenses as the Secretary may find are reasonable and likely to be incurred during each fiscal period for its maintenance and functioning, and for such purposes as the Secretary, pursuant to this subpart, determines to be appropriate. Handlers shall share expenses upon the basis of a fiscal period. Each handler's share of such expense shall be proportionate to the ratio between the total quantity of tomatoes handled by him as the first handler thereof during a fiscal period and the total quantity of tomatoes handled by all handlers as first handlers thereof during such fiscal period.

§ 1014.41 Budget. At the beginning of each fiscal period and as may be necessary thereafter, the committee shall prepare an estimated budget of income and expenditures necessary for the administration of this part. The committee may recommend a rate of assessment calculated to provide adequate funds to defray its proposed expenditures. The committee shall present such budget to the Secretary with an accompanying report showing the basis for its calculations.

§ 1014.42 Assessments. (a) The funds to cover the committee's expenses shall be acquired by the levying of assessments upon handlers as provided in this subpart. Each handler who first handles tomatoes shall pay assessments to the committee upon demand, which assessments shall be in payment of such handler's pro rata share of the committee's expenses.

(b) Assessments shall be levied upon handlers at rates established by the Secretary. Such rates may be established upon the basis of the committee's recom-

mendations and other available information. Such rates may be applied to specified containers used in the production

(c) At any time during, or subsequent to, a given fiscal period the committee may recommend the approval of an amended budget and an increase in the rate of assessment. Upon the basis of such recommendations, or other available information, the Secretary may approve an amended budget and increase the rate of assessment. Such increase shall be applicable to all tomatoes which were regulated under this part and which were handled by the first handler thereof during such fiscal period.

§ 1014.43 Accounting. (a) All funds received by the committee pursuant to the provisions of this subpart shall be used solely for the purposes specified in this part.

(b) The Secretary may at any time require the committee, its members and alternates, employees, agents and all other persons to account for all receipts and disbursements, funds, property, or records for which they are responsible. Whenever any person ceases to be a member of the committee or alternate, he shall account to his successor, the committee, or to the person designated by the Secretary, for all receipts, disbursements, funds and property (including but not being limited to books and other records) pertaining to the committee's activities for which he is responsible, and shall execute such assignments and other instruments as may be necessary or appropriate to vest in such successor, committee, or designated person, the right to all of such property and funds and all claims vested in such per-

(c) The committee may make recommendations to the Secretary for one or more of the members thereof, or any other person, to act as a trustee for holding records, funds, or any other committee property during periods of suspension of this subpart, or during any period or periods when regulations are not in effect and, if the Secretary determines such action appropriate, he may direct that such person or persons shall act, as trustee or trustees for the committee.

§ 1014.44 Refunds. At the end of each fiscal period, monies arising from the excess of assessments collected over expenses 'shall be accounted for as follows:

(a) Each handler entitled to a proportionate refund of such excess assessments at the end of a fiscal period shall be credited with such refund against the operations of the following fiscal period unless he demands payment thereof, in which event such proportionate refund shall be paid to him; or

(b) The Secretary, upon recommendation of the committee, may determine that it is appropriate for the maintenance and functioning of the committee that some of the funds remaining at the end of a fiscal period which are in excess of the expenses necessary for committee operations during such period may be carried over into following periods as a reserve for possible liquidation. Upon

approval by the Secretary, such reserve may be used upon termination of this order to liquidate the affairs of the committee: Provided, That upon termination of this part any monies in the reserve for liquidation which are not required to defray the necessary expenses of committee liquidation shall be returned upon a pro rata basis to all persons from whom such funds were collected.

RESEARCH AND DEVELOPMENT

§ 1014.48 Research and development. The committee, with the approval of the Secretary, may establish or provide for the establishment of marketing research and development projects designed to assist, improve, or promote the marketing, distribution, and consumption of tomatoes. The expenses of such projects shall be paid from funds collected pursuant to § 1014.42.

REGULATION

§ 1014.50 Marketing policy. Prior to or at the same time as initial recommendations are made pursuant to § 1014.51, the committee shall submit to the Secretary a report setting forth the marketing policy it deems desirable for the industry to follow in shipping tomatoes from the production area during the ensuing season. Additional reports shall be submitted from time to time if it is deemed advisable by the committee to adopt a new marketing policy because of changes in the demand and supply situation with respect to tomatoes. The committee shall publicly announce the submission of each such marketing policy report and copies thereof shall be available at the committee's office for inspection by any producer or any handler. In determining each such marketing policy the committee shall give due consideration to the following:

(a) Market prices of tomatoes, including prices by grades, sizes, and quality in different packs, and such prices by foreign competing areas;

(b) Supply of tomatoes, by grade, size, and quality in the production area, and

in other production areas, including foreign competing production areas;

(c) Trend and level of consumer income:

(d) Marketing conditions affecting tomato prices; and

(e) Other relevant factors.

§ 1014.51 Recommendations for regulations. The committee, upon complying with the requirements of § 1014.50, may recommend regulations to the Secretary whenever it finds that such regulations as are provided for in this subpart will tend to effectuate the declared policies of the act.

§ 1014.52 Issuance of regulations. (a) The Secretary shall limit by regulation the handling of tomatoes whenever he finds from the recommendations and information submitted by the committee, or from other available information, that such regulation would tend to effectuate the declared policy of the act.

(b) Such regulation may:

(1) Limit, in any or all portions of the production area, the handling of particular grades, sizes, qualities, or

packs of any or all varieties of tomatoes during any period; or

(2) Limit the handling of particular grades, sizes, qualities, or packs of tomatoes differently, for different varieties, for different stages of maturity, for different portions of a production area, for different containers, for different markets, for different purposes specified in § 1014.54, or any combination of the foregoing, during any period; or

(3) Limit the shipment of tomatoes

(3) Limit the shipment of tomatoes by establishing, in terms of grades, sizes, or both, minimum standards of quality

and maturity; or

(4) Fix the size, weight, capacity, dimensions, or pack of the container or containers which may be used in the packaging, transportation, sale, shipment, or other handling of tomatoes.

§ 1014.53 Minimum quantities. The committee, with the approval of the Secretary, may establish, for any or all portions of the production area, minimum quantities below which handling will be free from regulations issued or effective pursuant to §§ 1014.42, 1014.52, 1014.54, or 1014.60, or any combination thereof.

§ 1014.54 Handling for special purposes. Upon the basis of recommendations and information submitted by the committee, or other available information, the Secretary, whenever he finds that it will tend to effectuate the declared policy of the act, shall modify, suspend, or terminate regulations issued pursuant to §§ 1014.42, 1014.52, 1014.53, or 1014.60, or any combination thereof, in order to facilitate shipments of tomatoes for the following purposes:

(a) For export;

(b) For relief or for charity;

(c) For processing; or

(d) For other purposes which may be specified.

§ 1014.55 Notification of regulation. The Secretary shall notify the committee of any regulations issued or of any modification, suspension, or termination thereof. The committee shall give reasonable notice thereof to handlers.

§ 1014.56 Safeguards. (a) The committee, with the approval of the Secretary, may prescribe adequate safeguards to prevent tomatoes handled pursuant to §§ 1014.53 or 1014.54 from entering channels of trade for other than the specific purpose authorized therefor, and rules governing the issuance and the contents of Certificates of Privilege, if such certificates are prescribed as safeguards by the committee. Such safeguards may include requirements that:

(1) Handlers shall file applications with the committee to handle tomatoes pursuant to §§ 1014.53 and 1014.54; or

(2) Handlers shall obtain inspection provided by § 1014.60, or pay the assessment levied pursuant to § 1014.42, or both, in connection with shipments made under § 1014.54.

(3) Handlers shall obtain Certificates of Privilege from the committee for handling of tomatoes affected or to be affected under the provisions of §§ 1014.53 and 1014.54.

(b) The committee may rescind or deny Certificates of Privilege to any han-

dler if proof is obtained that tomatoes handled by him for the purposes stated in §§ 1014.53 and 1014.54 were handled contrary to the provisions of this part.

(c) The Secretary shall have the right to modify, change, alter, or rescind any safeguards prescribed and any certificates issued by the committee pursuant to the provisions of this section.

(d) The committee shall make reports to the Secretary, as requested, showing the number of applications for such certificates, the quantity of tomatoes covered by such applications, the number of such applications denied and certificates granted, the quantity of tomatoes handled under duly issued certificates, and such other information as may be requested.

INSPECTION

§ 1014.60 Inspection and certification. (a) During any period in which handling of tomatoes is regulated pursuant to §§ 1014.42, 1014.52, or 1014.54, or any combination thereof, no handler shall handle tomatoes unless such tomatoes are inspected by an authorized representative of the Federal or Federal-State Inspection Service, or such other inspection service as the Secretary shall designate, except when relieved from such requirements pursuant to §§ 1014.53, or 1014.54, or both.

(b) Regrading, resorting, or repacking any lot of tomatoes shall invalidate any prior inspection certificates insofar as the requirements of this section are concerned. No handler shall handle tomatoes after they have been regraded, resorted, repacked, or in any other way further prepared for market, unless each lot of such tomatoes is inspected by an authorized representative of the Federal or Federal-State Inspection Service, or such other inspection service as the Secretary shall designate: Provided, That the committee, with approval of the Secretary, may provide for waiving inspection requirements on any tomatoes in circumstances where it appears reasonably certain that, after regrading, resorting, or repacking, such tomatoes meet the applicable quality and other standards then in effect.

(c) Insofar as the requirements of this section are concerned, the length of time for which an inspection certificate is valid may be established by the committee with the approval of the Secretary.

(d) When tomatoes are inspected in accordance with the requirements of this section, a copy of each inspection certificate issued shall be made available to the committee by the inspection service.

(e) The committee may recommend and the Secretary may require that any tomatoes transported by motor vehicle shall be accompanied by a copy of the inspection certificate issued thereon, which certificate shall be surrendered to such authority as may be designated.

EXEMPTIONS

§ 1014.70 Procedure. The committee may adopt, with approval of the Secretary, the procedures pursuant to which certificates of exemption will be issued to producers or handlers.

§ 1014.71 Granting exemptions. The committee shall issue certificates of ex-

emption to any producer who applies for such exemption and furnishes adequate evidence to the committee, that by reason of a regulation issued pursuant to § 1014.52 he will be prevented from handling as large a proportion of his production as the average proportion of production handled during the entire season, or such portion thereof as may be determined by the committee, by all producers in said applicant's immediate production area and that the grade, size, or quality of the applicant's tomatoes have been adversely affected by acts beyond the applicant's control and beyond reasonable expectation. Each certificate shall permit the producer to handle the amount of tomatoes specified thereon. Such certificate shall be transferred with such tomatoes at time of transportation or sale.

§ 1014.72 Investigation. The committee shall be permitted at any time to make a thorough investigation of any producer's or handler's claim pertaining to exemptions.

§ 1014.73 Appeal. If any applicant for exemption certificates is dissatisfied with the determination by the committee with respect to his application, said applicant may file an appeal with the committee. Such an appeal must be taken promptly after the determination by the committee from which the appeal is taken. Any applicant filing an appeal shall furnish evidence satisfactory to the committee for a determination on the appeal. The committee shall thereupon reconsider the application, examine all available evidence, and make a final determination concerning the application. The committee shall notify the appellant of the final determination, and shall furnish the Secretary with a copy of the appeal and a statement of considerations involved in making the final determina-

§ 1014.74 Records. (a) The committee shall maintain a record of all applications submitted for exemption certificates, a record of all exemption certificates issued and denied, the quantity of tomatoes covered by such exemption certificates, a record of the amount of tomatoes handled under exemption certificates, a record of appeals for reconsideration of applications, and such other information as may be requested by the Secretary. Periodic reports on such records shall be compiled and issued by the committee upon request of the Secretary.

(b) The Secretary shall have the right to modify, change, alter, or rescind any procedure and any exemptions granted pursuant to §§ 1014.70, 1014.71, 1014.72, or 1014.73, or any combination thereof.

REPORTS &

§ 1014.80 Reports. Upon the request of the committee, made with approval of the Secretary, each handler shall furnish to the committee in such manner and at such time as it may prescribe, reports and other information as may be necessary for the committee to perform its duties under this part. In this connection:

(a) Such reports may include, but are not necessarily limited to, the following: (1) The quantities of tomatoes received by a handler; (2) the quantities disposed of by him, segregated as to the respective quantities subject to regulation and not subject to regulation; (3) the date of each such disposition and the identification of the carrier transporting such tomatoes; and (4) identification of the inspection certificates and the exemption certificates, if any, pursuant to which the tomatoes were handled, together with the destination of each exempted disposition and of all tomatoes handled pursuant to §§ 1014.53 and 1014.54.

(b) All such reports shall be held under appropriate protective classification and custody by the committee, or duly appointed employees thereof, so that the information contained therein which may adversely affect the competitive position of any handler in relation to other handlers will not be disclosed. Compilations of general reports from data submitted by handlers is authorized, subject to prohibition of disclosure of individual handlers' identities or operations.

(c) Each handler shall maintain for at least two succeeding years such records of the tomatoes received and disposed of by such handler as may be necessary to verify the reports he submits to the committee pursuant to this section.

MISCELLANEOUS PROVISIONS

§ 1014.81 Compliance. Except as provided in this subpart, no handler shall handle tomatoes, the handling of which has been prohibited by the Secretary in accordance with provisions of this subpart, or the rules and regulations thereunder, and no handler shall handle tomatoes except in conformity to the provisions of this subpart.

§ 1014.82 Right of the Secretary. The members of the committee (including successors and alternates), and any agent or employee appointed or employed by the committee, shall be subject to removal or suspension by the Secretary at any time. Each and every order, regulation, decision, determination or other act of the committee shall be subject to the continuing right of the Secretary to disapprove of the same at any time. Upon such disapproval, the disapproved action of the said committee shall be deemed null and void, except as to acts-done in reliance thereon or in compliance therewith prior to such disapproval by the Secretary.

§ 1014.83 Effective time. The provisions of this subpart, or any amendment thereto, shall become effective at such time as the Secretary may declare and shall continue in force until terminated in one of the ways specified in this subpart.

§ 1014.84 Termination. (a) The Secretary may, at any time, terminate the provisions of this subpart by giving at least one day's notice by means of a press release or in any other manner which he may determine.

(b) The Secretary may terminate or suspend the operation of any or all of the provisions of this subpart whenever he

finds that such provisions do not tend to effectuate the declared policy of the act.

(c) The Secretary shall terminate the provisions of this subpart at the end of any fiscal period whenever he finds that such termination is favored by a majority of producers, who during a representative period, have been engaged in the production of tomatoes for market: Provided, That such majority has, during such representative period, produced for market more than fifty percent of the volume of such tomatoes produced for market.

(d) The provisions of this subpart shall, in any event, terminate whenever the provisions of the act authorizing them cease to be in effect.

§ 1014.85 Proceedings after termination. (a) Upon the termination of the provisions of this subpart the then functioning members of the committee shall continue as joint trustees for the purpose of liquidating the affairs of the committee of all the funds and property then in the possession of or under control of the committee, including claims for any funds unpaid or property not delivered at the time of such termination. Action by said trusteeship shall require the concurrence of a majority of the said trustees.

(b) The said trustees shall continue in such capacity until discharged by the Secretary; shall, from time to time, account for all receipts and disbursements and deliver all property on hand, together with all books and records of the committee and of the trustees, to such person as the Secretary may direct; and shall, upon request of the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title and right to all of the funds, property, and claims vested in the committee or the trustees pursuant to this subpart.

(c) Any person to whom funds, property, or claims have been transferred or delivered by the committee or its members, pursuant to this section, shall be subject to the same obligations imposed upon the members of the committee and upon the said trustees.

§ 1014.86 Effect of termination or amendment. Unless otherwise expressly provided by the Secretary, the termination of this subpart or of any regulation issued pursuant to this subpart, or the issuance of any amendments to either thereof, shall not (a) affect or waive any right, duty, obligation, or liability which shall have arisen or which may thereafter arise in connection with any provision of this subpart or any regulation issued under this subpart, or (b) release or extinguish any violation of this subpart or of any regulations issued under this subpart, or (c) affect or impair any rights or remedies of the Secretary or of any other person with respect to any such violations. .

§ 1014.87 Duration of immunities. The benefits, privileges, and immunities conferred upon any person by virtue of this subpart shall cease upon the termination of this subpart, except with respect to acts done under and during the existence of this subpart.

§ 1014.88 Agents. The Secretary may, by designation in writing, name any person, including any officer or employee of the United States, or name any agency in the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions of this subpart.

§ 1014.89 Derogation. Nothing contained in this subpart is, or shall be construed to be, in derogation or in modification of the rights of the Secretary or of the United States to exercise any powers granted by the act or otherwise, or, in accordance with such powers, to act in the premises whenever such action is deemed advisable.

§ 1014.90 Personal liability. No member or alternate of the committee nor any employee or agent thereof, shall be held personally responsible, either individually or jointly with others, in any way whatsoever, to any handler or to any person for errors in judgment, mistakes, or other acts, either of commission or omission, as such member, alternate, agent, or employee, except for acts of dishonesty, willful misconduct, or gross negligence.

§ 1014.91 Separability. If any provision of this subpart is declared invalid, or the applicability thereof to any person, circumstance, or thing is held invalid, the validity of the remainder of this subpart, or the applicability thereof to any other person, circumstance, or thing, shall not be affected thereby.

§ 1014.92 Amendments. Amendments to this subpart may be proposed, from time to time, by the committee or by the Secretary.

- § 1014.93 Counterparts. This agreement may be executed in multiple counterparts and when one counterpart is signed by the Secretary all such counterparts shall constitute, when taken together, one and the same instrument as if all signatures were contained in one original.¹

§ 1014.94 Additional parties. After the effective date hereof, any handler who has not previously executed this agreement may become a party hereto if a counterpart hereof is executed by him and delivered to the Secretary. This agreement shall take effect as to such new contracting party at the time such counterpart is delivered to the Secretary, and the benefits, privileges, and immunities conferred by this agreement shall then be effective as to such new contracting party.

§ 1014.95 Order with marketing agreement. Each signatory handler favors and approves the issuance of an order, by the Secretary, regulating the handling of tomatoes in the same manner as is provided for in this agreement; and each signatory handler hereby requests the Secretary to issue, pursuant to the act such an order.

Copies of this notice of hearing may be procured from the Hearing Clerk,

۲,

No. 171-4

United States Department of Agriculture, Room 112, Administration Building, Washington 25, D. C., or may be there inspected.

Dated: August 29, 1956.

[SEAL] ROY W. LENNARTSON,

Deputy Administrator.

[F. R. Doc. 56-7039; Filed, Aug. 31, 1956; 8:46 a. m.]

Commodity Exchange Authority I 17 CFR Part 6 1

SPECIAL PROVISIONS APPLICABLE TO POTATOES AND ONIONS

REPORTS BY ONION SHIPPERS, MERCHAN-DISERS, PROCESSORS, AND DEALERS WITH ONION FUTURES OPEN CONTRACTS OF SPECIFIED SIZE; NOTICE OF EXTENSION OF TIME FOR FILING DATA, VIEWS, OR ARGU-MENTS

On August 16, 1956, there was published in the FEDERAL REGISTER (21 F. R. 6142), a notice that the Secretary of Agriculture is considering the issuance of regulations under the Commodity Exchange Act (7 U. S. C. 1 et seq.) to be designated as §§ 6.16 to 6.19, inclusive, of Part 6, Chapter I, Title 17, Code of Federal Regulations, and the amendment of § 6.21 of said Part 6 (17 CFR 6.21). The notice provides that all persons who desire to submit written data, views, or arguments for consideration in connection with the proposed regulations should file the same with the Administrator, Commodity Exchange Authority, United States Department of Agriculture, Washington 25, D. C., not later than September 4, 1956. The period during which such data, views, or arguments may be so filed is hereby extended to October 15.

Done at Washington, D. C., this 30th day of August 1956.

[SEAL] RODGER R. KAUFFMAN,
Administrator,
Commodity Exchange Authority.

[F. R. Doc. 56-7077; Flied, Aug. 31, 1956; 8:51 a, m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 1, 17] [Docket No. 11665]

CONSTRUCTION, MARKING AND LIGHTING OF

- ANTENNA STRUCTURES

EXTENSION OF TIME FOR RECEIVING .

In the matter of amendment of Parts 1 and 17 of the Commission's rules and regulations.

The Commission having under consideration a letter filed August 10, 1956, by A. Earl Cullum, Jr., consulting engineer, Dallas, Texas, requesting further extension of time in which to submit comments directed to the Commission's Notice of Proposed Rule Making in the above-captioned matter:

It appearing that the Commission's proposal to encourage the grouping of

antenna towers and the multiple use of antenna supporting structures is related to the air hazard criteria for determining antenna height and location presently being developed by the Joint Industry/Government Tall Structures Committee (JIGTSC) of the Air Coordinating Committee (ACC); and

It further appearing that in view of the relationship between the above-captioned proceeding and the continuing work of JIGTSC, the public interest would be served by further extension of the time for reception of comments in this Docket; and

It further appearing that the date on which new criteria will be approved by the JIGTSC, as well as the date on which the Air Coordinating Committee will act thereon, cannot with certainty be estimated at this time:

It is ordered, This 29th day of August 1956, that, pursuant to authority contained in § 0.322 (b) of the Commission's rules, the time for filing comments in the above-captioned matter is hereby extended from September 3, 1956, to November 5, 1956, and that rebuttal comments may be filed within 20 days from the extended closing date for original comments.

Released: August 29, 1956.

Federal Communications Commission, DEE W. PINCOCK,

[SEAL] DEE W. PINCOCK,
Acting Secretary.

[F. R. Doc. 56-7060; Filed, Aug. 31, 1956; 8:50 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Part 239]

REVISION OF FORM FOR REGISTRATION STATEMENT

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the Securities and Exchange Commission has under consideration a proposed revision of Form S-6 (§ 239.16) under the Securities Act of 1933 and that a public hearing on the proposed revision will be held in Room 193 at its offices, 425 Second Street NW., Washington, D. C., on November 15, 1956, at 10:00 a. m.

Form S-6 is used for registration of securities under the above act by unit investment trusts which are currently issuing securities, including periodic payment plan certificates, The revised form would also be used for registering securities of unincorporated management investment companies having a sponsor but not having a board of directors or persons performing similar functions,

A registration statement on Form S-6 consists largely of certain of the information and documents which would be required in a registration statement under the Investment Company Act of 1940 if such a statement were currently being filed. Registrants on this form are thus permitted to base their registration statements under the 1933 act upon the in-

¹Applicable only to the proposed marketing agreement.

formation and documents filed with the Commission in the original registration statement and in subsequent reports un-

der the 1940 act.

Form S-6 is being revised at this time to bring it into line with a proposed revision and consolidation of Forms N-8B-2 and N-8B-3 (§§ 274.12 and 274.13) under the 1940 Act. These revisions are also being considered in connection with certain proposed changes. in the Commission's Statement of Policy relating to investment company sales literature generally.

A copy of the proposed revision of Form S-6 is attached hereto.1

Any person interested in presenting his yiews on the proposed revision of Form S-6 at the public hearing should, not later than 5:30 p. m. on November 12, 1956, submit to the Commission in writing a statement of his intention to appear at the hearing, together with a written statement of his views, and should limit his request for time to make oral presentation so as to provide an opportunity for all interested persons to be heard.

In addition all other interested persons are invited to submit their views and comments on the proposed form, in writing, to the Securities and Exchange Commission, Washington 25, D. C., on or before October 31, 1956. Except where it is requested that such communications not be disclosed, they will be considered available for public inspection.

By the Commission.

[SEAL]

ORVAL L. DUBOIS, Secretary.

AUGUST 24, 1956.

[F. R. Doc. 56-7045; Filed, Aug. 31, 1956; 8:47 a. m.]

I 17.CFR Part 274 I

CONSOLIDATION OF FORMS FOR REGISTRATION STATEMENTS

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the Securities and Exchange Commission has under consideration a proposed revision and consolidation of Forms N-8B-2 and N-8B-3 (§§ 274.12 and 274.13) under the Investment Company Act of 1940, and that a public hearing on the proposed revision will be held in Room 193 at its offices, 425 Second Street, NW., Washington, D. C., on November 15, 1956, at 10:00 a. m.

Form N-8B-2 is used for registration statements filed under that Act by unit investment trusts which are currently issuing securities, including those which issue periodic payment plan certificates. Form N-8B-3 is used for registration statements filed by unincorporated management investment companies currently issuing periodic payment plan certificates. The revised form would be used by any unit investment trust which proposes to issue securities, or any un-incorporated management investment company which proposes to issue periodic payment plan certificates.

The proposed revision is the first general revision of these forms since they were adopted in 1942. As a result of the experience gained over the intervening years, and in view of the fact that the form is now used chiefly by newly organized companies, the Commission be-lieves that these forms can be simplified and consolidated into a single form for both of the types of companies_,mentioned above. Much of the historical information relating to the operation of companies which were in existence at the time of the passage of the act is no longer

of importance and hence the requirements for furnishing such information have been omitted from the proposed revision.

Registration statements on this form serve as a basis for furnishing the information required for registration statements under the Securities Act of 1933. Accordingly, the proposed new form has been drafted with registration. under that act particularly in mind. The proposed form is also being considered in connection with certain proposed changes in the Commission's Statement of Policy relating to sales literature of investment companies generally.

A copy of the proposed form is at-

tached hereto.

Any person interested in presenting his views on the above proposal at the public hearing should, not later than 5:30 p. m. on November 12, 1956, submit to the Commission in writing a statement of his intention to appear at the hearing, to-gether with a written statement of his views, and should limit his request for time to make oral presentation so as to provide an opportunity for all interested persons to be heard.

In addition, all other interested persons are invited to submit their views and comments on the proposed form, in writing, to the Securities and Exchange Commission, Washington 25, D. C., on or before October 31, 1956. Except where it is requested that such communications not be disclosed, they will be available for public inspection.

By the Commission.

[SEAL] ORVAL L. DUBOIS, Secretary.

AUGUST 24, 1956.

[F. R. Doc. 56-7044; Filed, Aug. 31, 1956; 8:47 a. m.1

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

SHOSHONE PROJECT, WYOMING

ORDER OF REVOCATION

APRIL 25, 1956.

by Departmental Order of July 30, 1954 (19 F. R. 5004), I hereby revoke Departmental Orders of May 2, 1919, and November 22, 1924, insofar as the said orders affect the following described lands; provided, however, that such revocation shall not affect the withdrawal of any other lands by such orders or affect any other orders withdrawing or reserving the land hereinafter described:

SIXTH-PRINCIPAL MERIDIAN, WYOMING

T. 52 N., R. 94 W., Sec. 2, lots 1 to 5, inclusive;

Secs. 7, 8, 9, and 12; Lots 38, 42, 44, 45, 46, 47, 48, 49, 50-A, and

Lot 73, lots 2, 3, 4, 7, 8 and 12.

¹ Filed as part of original document.

T. 53 N., R. 94 W. Sec. 7, E½SW¼. T. 52 N., R. 95 W., Secs. 2, 3, 4, and 12. Tracts 51, 54, 55, 57 and 58; Tract 53 A to H, inclusive, and K to N, in-

The areas described, including both Pursuant to the authority delegated public and non-public lands, aggregate 8,709.58 acres.

E. G. NIELSEN, Assistant Commissioner.

[71742]

AUGUST 28, 1956.

I concur. The records of the Bureau of Land Management will be noted accordingly.

Parts of the released lands are State or privately owned. The minerals in these lands are not reserved to the United States.

The restored lands are grazing lands, located in Bighorn County, Wyoming. They are not suitable for cultivation nor for small tract development. The soil supports a sparse stand of sagebrush, saltsage, and grass. The lands are within Wyoming Grazing District No. 1.

No application for the restored lands may be allowed under the homestead, desert-land, small tract, or any other nonmineral public-land law unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon the consideration of an application. Any application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classifled.

Subject to any valid existing rights and the requirements of applicable law, the restored lands are hereby opened to filing of applications, selections, and locations in accordance with the follow-

a. Applications and selections under the nonmineral public-land laws may be presented to the Manager mentioned below, beginning on the date of this order. Such applications and selections will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

(1) Applications by persons having prior existing valid settlement rights,

preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(2) All valid applications under the Homestead, Desert Land, and Small Tract Laws by qualified veterans of World War II or of the Korean Conflict, and by others entitled to preference rights under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279–284 as amended), presented prior to 10:00 a. m. on October 3, 1956, will be considered as simultaneously filed at that hour. Rights under such preference right applications filed after that hour and before 10:00 a. m. on January 2, 1957, will be governed by the time of filing.

(3) All valid applications and selections under the non-mineral public-land laws, other than those coming under paragraphs (1) and (2) above, presented prior to 10:00 a. m. on January 2, 1957, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing

Persons claiming veterans preference rights must enclose with their applications proper evidence of military or naval service, preferably a complete photostatic copy of the certificate of honorable discharge. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their claims. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

b. The restored lands have been open to applications and offers under the mineral-leasing laws. They will be open to location under the United States mining laws beginning at 10:00 a.m. on January 2, 1957.

Inquiries concerning the lands shall be addressed to the Manager, Land Office, Bureau of Land Management, Cheyenne, Wyoming.

CHARLES P. MEAD,
Acting Director,
Bureau of Land Management.

[F. R. Doc. 56-7032; Filed, Aug. 31, 1956; 8:45 a.m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

HAMBURG-AMERICAN LINE ET AL.

NOTICE OF AGREEMENT FILED WITH THE BOARD FOR APPROVAL

Notice is hereby given that the following described agreement has been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916, 39 Stat 733 46 H S C 814

Stat. 733, 46 U. S. C. 814.

Agreement No. 8136 between Hamburg-American Line, North German Lloyd, and Ozean Linie G. m. b. H. and Hugo Stinnes, covers a sailing arrangement in the trade between Gulf ports of the United States and norts in the

French Atlantic Hamburg Range. Agreement No. 8136, upon approval, will supersede and cancel Agreement No. 8006, between Hamburg-American Line, North German Lloyd, and Ozean Linie G. m. b. H., Hugo Stinnes, and "Brenntag" Brennstoff-, Chemikalien-und Transport G. m. b. H.

Interested parties may inspect this agreement and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the Federal Register, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

By order of the Federal Maritime Board.

Dated: August 29, 1956.

[SEAL]

A. J. WILLIAMS, Secretary.

[F. R. Doc. 56-7048; Filed, Aug. 31, 1956; 8:48 a.m.]

FRUCHTEINFUHR UND REEDEREIGESELL-SCHAFT ET AL.

NOTICE OF AGREEMENT FILED WITH THE BOARD FOR APPROVAL

Notice is hereby given that the following, described agreement has been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916, 39 Stat. 733, 46 U. S. C. 814.

Agreement No. 8126 between Fruchteinfuhr und Reedereigesellschaft mit
beschrankter Haftung, Import und
Reedereigesellschaft mit beschrankter
Haftung, W. Bruns & Co., et al., provides
for the establishment and maintenance
of a joint cargo and passenger service
under the trade name W. Bruns & Co.
(German Fruit Line), in the trades between Pacific Coast ports of the United
States and British Columbia, and Continental European ports and Great Britain. This agreement was filed to supersede and cancel Agreement, No. 8031.

Interested parties may inspect this agreement and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the Federal Register, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

By order of the Federal Maritime Board.

Dated: August 29, 1956.

[SEAL]

A. J. Williams, Secretary.

[F. R. Doc. 56-7049; Filed, Aug. 31, 1956; 8:48 a. m.]

PAUL A. BOULO AND KARR, ELLIS & Co., INC.

NOTICE OF AGREEMENT FILED WITH THE

BOARD FOR APPROVAL

ment in the trade between Gulf ports of Notice is hereby given that the followthe United States and ports in the ing described agreement has been filed

with the Board for approval pursuant to section 15 of the Shipping Act, 1916, 39 Stat. 733, 46 U.S. C. 814.

Agreement No. 8137 between Paul A. Boulo of Mobile, Alabama and Karr, Ellis & Co., Inc. of New York City, is a cooperative working arrangement between the parties under which they perform freight forwarding services for each other.

Interested parties may inspect this agreement and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the Federal Register, written statements with reference to the agreement, and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

By order of the Federal Martime Board.

Dated: August 29, 1956.

[SEAL]

A. J. Williams, Secretary.

[F. R. Doc. 56-7050; Filed, Aug. 31, 1956; 8:48 a.m.]

H. L. Ziegler, Inc., and Barr Shipping Co., Inc., et al.

NOTICE OF AGREEMENTS FILED WITH THE BOARD FOR APPROVAL

Notice is hereby given that the following described agreements have been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916, 39 Stat. 733, 46 U.S. C. 814.

(1) Agreement No. 8112 between H.L. Ziegler, Inc., Houston, Tex., and Barr Shipping Co., Inc. of New York, N. Y.;

(2) Agreement No. 8113 between H. L. Ziegler, Inc. and Bluefries New York, Inc.;

(3) Agreement No. 8114 between H. L. Ziegler, Inc. and Karr, Ellis & Co., Inc., New York City; and

(4) Agreement No. 8115 between H. L. Ziegler, Inc. and Marks & Coyle, Inc., New York, N. Y., are cooperative working arrangements under which the parties perform freight forwarding services for each other.

Interested parties may inspect these agreements and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreements, and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

 By order of the Federal Maritime Board.

Dated: August 29, 1956.

[SEAL]

A. J. WILLIAMS, Secretary.

[P. R. Doc. 58-7051; Filed, Aug. 31, 1956; 8:48 a.m.]

LINE, INC.

NOTICE OF AGREEMENT FILED WITH THE BOARD FOR APPROVAL

·Notice is hereby given that the following described agreement has been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916, 39 Stat. 733, 46 U.S. C. 814.

Agreement No. 8124 between Ward Garcia, S. A. (Ward Line), and Bull Insular Line, Inc., covers the transportation of cargo under through bills of lading from Puerto Rico to Mexico, with transhipment at New York, Baltimore, or Philadelphia.

Interested parties may inspect this agreement and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit. within 20 days after publication of this notice in the FEDERAL REGISTER, Written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

By order of the Federal Maritime Board.

Dated: August 29, 1956.

[SEAL]

A. J. WILLIAMS, . Secretary.

[F. R. Doc. 56-7052; Filed, Aug. 31, 1956; 8: 48 a. m.]

MEMBER LINES OF PACIFIC WESTBOUND CONFERENCE

NOTICE OF AGREEMENT FILED WITH THE BOARD FOR APPROVAL

Notice is hereby given that the following described agreement has been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916, 39 Stat. 733, 46 U. S. C. 814.

Agreement No. 57-61 between the

· member lines of the Pacific Westbound Conference, modifies the preamble to the basic agreement of that conference (No. 57) to reflect the present day designations of the countries of destination within the trading area of the conference.

Interested parties may inspect this agreement and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

By order of the Federal Maritime Board.

Dated: August 29, 1956.

[SEAL]

A. J. WILLIAMS, Secretary.

[F. R. Doc. 56-7053; Filed, Aug. 31, 1956; 8:49 a. m.]

A/S JOINT SERVICE, ET AL.

NOTICE OF AGREEMENTS FILED WITH THE . BOARD FOR APPROVAL

Notice is hereby given that the following described agreements have been filed with the Board for approval pursuant to Section 15 of the Shipping Act, 1916, 39 Stat. 733, 46 U.S. C. 814.

(1) Agreement No. 7655-3 between the carriers comprising the Fearnley & Eger-A. F. Klavenes & Co. A/S joint service, modifies approved joint service Agreement No. 7655 to provide for the admission of Aktieselskabet Standard and Fearnley & Egers Befragtningsforretning A/S as parties to the joint service which operates in various world wide trades.

(2) Agreement No. 7668-1 between the carriers comprising the Barber-West African Line joint service, modifies approved joint service Agreement No. 7668 to provide for the admission of Aktieselskabet Standard and Fearnley & Egers Befragtningsforretning A/S as parties to the joint service, which operates in the trade between Atlantic and St. Lawrence ports of Canada and Atlantic and Gulf of Mexico ports of the United States and West African ports (Dakar to Mossamedes inclusive) and the Atlantic Islands of the Azores, Madeira, Canary and Cape Verdes and the Islands of Fernando Po, Principe and San Thome in the Gulf of Guinea.

(3) Agreement No. 7749-1, between the carriers comprising the Barber-Wilhelmsen Line joint service, modifies approved joint service Agreement No. 7749 to provide for the admission of Aktieselskabet Standard and Fearnley & Egers Befragtningsforretning A/S as parties to the joint service, which operates in the trade from the Far East to Hawaii, Panama Canal Zone, and ports on the Pacific and Atlantic Coasts of the United States.

Interested parties may inspect these agreements and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreements and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

By order of the Federal Maritime Board.

Dated: August 29, 1956.

[SEAL]

A. J. WILLIAMS, Secretary.

[F. R. Doc. 56-7054; Filed, Aug. 31, 1956; 8:49 a. m.]

Member Lines of American Great Lakes-MEDITERRANEAN EASTBOUND FREIGHT CONFERENCE.

NOTICE OF AGREEMENT FILED WITH THE BOARD FOR APPROVAL

Notice is hereby given that the following described agreement has been filed

Ward Garcia, S. A., and Bull Insular Fearnley & Eger-A. F. Klaveness & Co. with the board for approval pursuant to section 15 of the Shipping Act, 1916, 39 Stat. 733, 46 U.S. C. 814.

Agreement No. 8250-1, between the member lines of the American Great Lakes-Mediterranean Eastbound Freight Conference, modifies the basic agreement of that conference (No. 8250) (1) to clarify the description of the trading area covered by the agreement and to include Marmara and Black Sea ports within its scope, and (2) and to set forth the requirements to be observed by the member lines in fixing vessels for full cargoes.

Interested parties may inspect this agreement and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

By order of the Federal Maritime Board.

Dated: August 29, 1956.

[SEAL]

A. J. WILLIAMS. Secretary.

[F. R. Doc. 56-7055; Filed, Aug. 31, 1950; 8:49 a. m.]

J. W. Allen & Co. and Paul A. Boulo, Jr. NOTICE OF AGREEMENT FILED WITH THE BOARD FOR APPROVAL

Notice is hereby given that the following described agreement has been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916, 39 Stat. 733, 46 U.S.C. 814.

Agreement No 8138 between J. W. Allen & Co., New Orleans, Louisiana and Paul A. Boulo, Jr., Mobile, Alabama, is a cooperative working arrangement between the parties under which they perform freight forwarding services for each other.

Interested parties may inspect this agreement and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, Written statements with reference to the agreement, and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

By order of the Federal Maritime Board.

Dated: August 29, 1956.

[SEAL]

A. J. WILLIAMS, Secretary.

[F. R. Doc. 56-7056; Filed, Aug. 31, 1956; 8:49 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 11776; FCC 56M-788] LEO JOSEPH THERIOT (KLFT) ORDER SCHEDULING PRE-HEARING CONFERENCE

In re application of Leo Joseph Theriot (KLFT), Golden Meadow, Louisiana; Docket No. 11776, File No. BP-10482; for

construction permit.

It is ordered, This 28th day of August 1956, that all parties, or their counsel, in the above-entitled proceeding are directed to appear for pre-hearing conference pursuant to the provisions of § 1.813 of the Commission's rules, at the offices of the Commission in Washington, D. C., at 10 o'clock a.m., September 7, 1956.

> FEDERAL COMMUNICATIONS COMMISSION,

/ [SEAL]

DEE W. PINCOCK. Acting Secretary.

[F. R. Doc. 56-7061; Filed, Aug. 31, 1956; 8:50 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-2605, etc.]

PHILLIPS PETROLEUM Co.

NOTICE OF APPLICATIONS AND DATE OF HEARING

AUGUST 27, 1956.

In the matter of Phillips Petroleum Company, Docket Nos. G-2605-G-2615, inclusive, G-2617, G-2619-G-2625, inclusive, G-2628-G-2635, inclusive, G-2637-G-2647, inclusive, G-3330-G-3332, inclusive, G-3334-G-3336, inclusive, G-3338-G-3366, inclusive, G-3369-G-3391, inclusive, G-3393-G-3439, inclusive, G-3441-G-3448, inclusive, G-3450-G-3453, inclusive, G-3455, G-3457-G-3462, in-clusive, G-3465-G-3470, inclusive, G-G-3472-G-3475, inclusive, G-3479-G-3482, inclusive, G-3488, G-3487, G-3506-G-3509, inclusive, G-3511, G-3512, G-3825, G-3897, G-4108, G-4842, G-4878, G-4879, G-5216, G-7353-G-7355, inclusive.

The above applicant has filed applications for certificates of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing applicant to render services as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in its respective applications which are on file with the Commission and open for public inspection.

Applicant produces and sells natural gas for transportation in interstate commerce for resale as indicated below.

Docket No. G-; Location of Field; and Buyer

2605; Fullerton and Shafter Lake Fields, Andrews County, Tex.; El Paso Natural Gas Company.

2606; East Panhandle Field, Gray County. Tex.: Consolidated Gas Utilities Corporation. 2607; Spraberry Trend Field, Upton County,

Tex.; Permian Basin Pipe Line Company. 2608; Hope Field, Lavaca County, Tex.;

Shell Oil Company.

2609; North Port Neches Field, Orange County, Tex.; Texas Eastern Transmission Corporation.

2610; East Panhandle Fleld, Gray County, Tex.; Northern Natural Gas Company.

\$2611; McElroy Field, Crane County, Tex.; El Paso Natural Gas Company.

2612; Longwood Field, Caddo Parish, La., and Harrison County, Tex.; Arkansas Louisiana Gas Company.

2613; South Lucky Field, Matagorda County, Tex.; Tennessee Gas Transmission Company.

2614, 4878; Sand Hills Field, Crane County, Tex.; Gulf Oil Corporation.

2615; West Holly Field, De Witt and Gollad Counties, Tex.; Texas Eastern Transmission

Corporation. 2617; Monument Field, Lea County, N. Mex.; El Paso Natural Gas Company.

2619; West Panhandle Field, Moore County, Tex.; El Paso Natural Gas Company.

2620; West Panhandle Field, Moore County.

Tex.; Northern Natural Gas Company. 2621; Puckett-Ellenberger Field, Pecos County, Tex.; Permian Basin Pipe Line Com-

2622; Old Ocean Field, Brazoria and Matagorda Counties, Tex.; Texas Illinois Natural Gas Pipe Line Corporation.

2623; Hugoton Fleid, Hansford County, Tex.; Panhandle Eastern Pipe Line Company. 2624; West Panhandle Field, Hutchinson County, Tex.; Colorado Interstate Gas Com-

pany.
2625; Goldsmith, Ector and Embar Fields,
Fi Paso Natural Gas Ector County, Tex.; El Paso Natural Gas Company.

2628, 2634; Calallen Field, Nueces County, Tex.; Tennessee Gas Transmission Company. 2629; Spraberry Trend Field, Midland County, Tex.; Permian Basin Pipe Line Com-

pany.
2630; New Ulm Field, Austin County, Tex.; Tennessee Gas Transmission Company.

2631, 3479, 3509, 4108; Winnie and Stowell Fields, Jefferson and Chambers Counties, Tex.: Texas Gas Corporation.

2632; Shield Field, Nueces County, Tex.; Transcontinental Gas Pipe Line Corporation. 2633; Carthage Field, Panola County, Tex.; Texas Gas Transmission Corporation.

2635; Heinze Field, De Witt County, Tex.; Texas Eastern Transmission Corporation. 2637; Carthage Field, Panola County, Tex.;

Arkansas Louisiana Gas Company. 2638; La Rosa Field, Refugio County, Tex.:

Tennessee Gas Transmission Company. 2639; Marshall Field, Gollad County, Tex.; United Gas Pipe Line Company.

2640; Carthage Field, Panola County, Tex.; United Gas Pipe Line Company.

2641; Hugoton Field, Hansford County. Tex.; Michigan-Wisconsin Pipe Line Com-

2642; Green Branch Field, McMullen County, Tex.; Tennessee Gas Transmission. Company.

2643; Woodlawn Field, Harrison County, Tex.; Mississippi River Fuel Corporation. 2644; Keystone Field, Winkler County,

Tex.; El Paso Natural Gas Company. 2645, 3335, 3345-3353, inclusive; West Panhandle Field, Moore County, Tex.; Panhandle

Eastern Pipe Line Company. 2646; Chocolate Bayou Field, Brazoria County, Tex.; Texas Illinois Natural Gas Pipe Line Corporation.

2647; Donna Field, Hidalgo County, Tex.; Tennessee Gas Transmission Company.

3330, 3331; Rodessa Field, Cass County, Tex.; L. B. Wood, et al., d. b. a. Breckenridge Gasoline Company.

3332; Rodessa Field, Cass County, Tex.; Arkansas Louisiana Gas Company.

3334; Rodessa Field, Marion County, Tex.; Arkansas Louisiana Gas Company.

3336; Hugoton Field, Texas County, Okla.; Panhandle Eastern Pipe Line Company.

3338; Phoenix Lake Field, Calcasieu Parish, La.; United Gas Pipe Line Company.

3339; Caspinia Field, Caddo Parish, La.; Arkansas Louisiana Gas Company.

3340; Hugoton Field, Texas County, Okla.; Colorado Interstate Gas Company.

3341; West Panhandle Field. Carson County, Tex.; Northern Natural Gas Company.

3342, 3395, 3400, 3405–3407, inclusive, 3413, 3414, 3416, 3418, 3420–3422, inclusive, 3424–3429, inclusive; TXL Field, Winkler and Ector Countles, Tex.; Shell Oil Company; The Texas Company.

3343; West Panhandle Field, Hutchinson County, Tex.; Frank C. Henderson Trust No. 2.

3344, 3375-3383, inclusive, 3385-3387, inclusive, 3393, 3394, 3481; Golden Trend Area, Stephens and Garvin Counties, Okla.; Warren Petroleum Corporation; The Texas Company; Citles Service Oil Company; Kerr-McGee Oil Industries, Inc.; Oklahoma Natural Gas Company.

3354; North Ruskin Pield, La.; Arkansas Louisiana Gas Company.

3355; Downsville Field, Union Parish, La.;

Arkansas Louisiana Gas Company. 3356; Monument Field, Lea County, N. Mex.: El Paso Natural Gas Company. 3357, 3439; Jal Field, Lea County, N. Mex.;

El Paco Natural Gas Company.

3358; Denton Field, Lea County, N. Mex.; El Paso Natural Gas Company. 3359; Edmond Field, Oklahoma County,

Okla.; Cities Service Gas Company.

3360, 3361; West Edmond Hunton Lime Field, Oklahoma County, Okla.; Cities Serv-

ice Gas Company.
3362, 3446; Fox Field, Carter County, Okla.; Lone Star Gas Company.

3363, 3365; Oceanic Field, Howard County, Tex.; Reef Fields Gasoline Corporation.

3364; South Von Roeder Field, Borden. County, Tex.; Reef Fields Gasoline Corpora-

3366; North Luther Field, Howard County, Tex.; Reef Fields Gasoline Corporation.

3369, 3370, 3374, 3465; North Luther Field, Howard County, Tex.; West Panhandle Field, Hutchinson and Moore Counties, Tex.; Shamrock Oll and Gas Corporation.

3371, 3372; Keystone Field, Winkler County, Tex.; Sid Richardson Gasoline Company. 3373; Kansas Hugoton Field, Finney County, Kans.: Colorado Interstate Gas Company.

3384, 3388, 3389, 3457-3459, inclusive; North Lindsay Area, McClain, and Garvin Counties, Okla., Warren Petroleum Corporation: The Texas Company: Cities Service Oil Company: Kerr-McGee Oil Industries, Inc., Oklahoma Natural Gas Company.

3390, 3391, 3487; Monument Field, Lea County, N. Mex.; Warren Petroleum Corpora-

3396, 3402, 3404, 3409, 3411; TXL-Tubb Field, Ector County Tex.; Shell Oil Company; The Texas Company; The Superior Oil Company.

3397, 3399, 3410, 3415, 3466; TXL Field, Ector County, Tex.; Wasson Field, Gaines County, Tex.; Shell Oil Company.

3398; Wasson Field, Gaines County, Tex.; Shell Oil Company; Coltexo Corporation.

3401: Wascon Field, Gaines and Yoakum

Counties, Tex.; Shell Oil Company. 3403, 3408, 3412, 3417; Goldsmith Field, Ector County, Tex.; Shell Oil Company; The Texas Company.

3419, 3423; Wheeler Field, Ector County, Tex.; Shell Oil Company; The Texas Company.

3430, 3431, 3434; Golden Trend Area, Gar-vin County, Okla.; Warren Petroleum Corporation; The Texas Company; Kerr-McGee Oil Industries, Inc.; Oklahoma Natural Gas Company: Cities Service Oil Company.

3432: West Panhandle Field, Moore County, Tex.; Shell Oll Company.

3433: Lewisburg Field, Acadia Parish, La.; Texas Northern Gas Corporation.

3435, 3482; Pegasus Field, Upton and Midland Counties, Tex.; Magnolia Petroleum Company.

3436, 3437; Emperor Field, Winkler County, Tex.; C. V. Lyman.

; Chickasha Field, Grady County, Consolidated Gas Utilities Corp.

3441, 3442; Doyle Field, Stephens County, Okla; Universal Gasoline Company. 3443, 3455; Aylesworth Field, Marshall County, Okla.; Universal Gasoline Company.

3444; Doyle Field, Stephens County, Okla.; Lone Star Gas Company. 3445; Cruce Field, Stephens County, Okla.;

Lone Star Gas Company. 3447, 3450, 3453; Eunice Field, Lea County, N. Mex.; Skelly Oll Company.

3448: Tunstill Field, Reeves County, Tex.; Pecos Petroleum Corporation.

3451, 3452; Velma Field, Stephens County, Okla.; Skelly Oil Company. 3460, 3474, 3475; Benedum Field, Reagan

and Upton Counties, Tex.; The Pecos Com-

3461; Spider Field, De Soto Parish, La.;

Southern Natural Gas Company.

3462; Hugoton Field, Seward County, Kans.; Northern Natural Gas Company. 3467; Hobo Field, Howard and Borden Countles, Tex.; Reef Field Gasoline Corpora-

3468; Panhandle Field, Gray and Carson Counties, Tex.; Kerr-McGee Oil Industries,

Inc. 3469, 3470; Fox-Graham Field, Carter County, Okia.; Magnolia Petroleum Com-

pany. 3472; Calley Lease, Lea County, N. Mex.; El Paso Natural Gas Company.

3473; Sibley Field, Webster Parish, La.; United Gas Pipe Line Company.

3480; Chesterville Field, Colorado County, Tex.; Tennessee Gas Transmission Company.

3486, 3512; Lissie Field, Wharton County, Tex.: Tennessee Gas Transmission Company. 3508-3508, inclusive; Driver Field, Upton and Glasscock Counties, Tex.; Texas Gas Products Corporation.

3511; Beaver Creek Field, Fremont County, Wyo.; Northern Utilities Company.

3825: Jal Field, Lea County, N. Mex.; Per-

mian Basin Pipe Line Company. 3897; West Panhandle Field, Moore and Carson Counties, Tex.; Natural Gas Pipe

Line Company of America.

4842: Hico-Knowles Field, Lincoln Parish, La.; Mississippi River Fuel Corporation.

4879; North Pettus Field, Bee County, Tex.; United Gas Pipe Line Company.

5216; Elk Basin Field, Park County, Wyo.; Montana Dakota Utilities Company. 7353-7355, inclusive; Lewisburg Field, Scurry County, Tex.; Fullerton Oil Corpora-

These matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on September 19, 1956, at 9:30 a.m., e. d. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications: Provided, however, That the Commission may, after a noncontested hearing, dispose of the pro-ceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicant to appear or be represented. at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commis-

sion, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 6, 1956. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

ISEAL

LEON M. FUQUAY, Secretary.

[F. R. Doc. 56-7033; Filed, Aug. 31, 1956; 8:45 a.m.]

[Docket No. G-10707]

NORTHERN NATURAL GAS CO.

NOTICE OF APPLICATION AND DATE OF HEARING

AUGUST 27, 1956.

Take notice that Northern Natural Gas Company (Applicant), a Delaware corporation with its principal place of business in Omaha, Nebraska, filed an application on July 3, 1956, for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing construction and operation of natural gas facilities as hereinafter described.

Applicant states that it has entered into a gas purchase contract with Skelly Oil Company (Skelly), whereby Applicant will purchase surplus residue gas from three of Skelly's gasoline plants located in the vicinity of Applicant's Skellytown Compressor Station. It is contemplated that delivery of the gas will be made initially at the Schafer and Crawford Plants and future deliveries will also be made at the Kingsmill Plant in accordance with the gas purchase contract. Applicant alleges that the additional volumes proposed to be purchased from Skelly will supplement Applicant's total gas supply.

Applicant proposes to construct and operate the following facilities in the vicinity of Applicant's Skellytown, Texas, Compressor Station for the purpose of receiving and transporting the natural gas purchased from Skelly:

(a) 1.5 miles of 10-inch line from Skelly's Crawford Gasoline Plant to a point on Applicant's present 24-inch line north of Applicant's Skellytown Compressor Station, and related measuring facilities.

(b) 0.16 mile of 8-inch line from Skelly's Schafer Gasoline Plant to a point on Applicant's present 20-inch line southeast of the Skellytown Compressor Station, and related measuring facilities.

(c) A 440-horsepower compressor unit to be located on the line to be constructed from the Schafer Plant to Applicant's 20-inch line.

The cost to construct the proposed facilities is estimated to be \$154,700, which Applicant will finance out of funds on hand.

Applicant states that Skelly uses a portion of the residue gas from its gasoline plants for secondary oil recovery operations and has contracted to sell surplus gas to Applicant with the condi-

Federal Power Commission include satisfactory assurance that Skelly can continue to use the residue gas for these operations.

Applicant estimates that Skelly will deliver an average of 8,700 Mof per day to Applicant during the first full year of operation. Of this amount, it is estimated that 3,000 Mof per day will be delivered at the Schafer Plant and the balance at the Crawford Plant. first deliveries are expected to commence on or about October 1, 1956, and gas will become available at the Kingsmill Plant not earlier than January 1958, when additional volumes will become avail-

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, hearing will be held on September 24, 1956, at 9:30 s. m., e. d. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applica-tion: Provided, however, That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Tinder the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission. Washington 25. D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 15, 1956. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a-request therefor is made.

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 56-7034; Filed, Aug. 31, 1956; 8:45 a. m.]

[Project No. 22131

Public Utility District No. 1 of Cowlitz COUNTY, WASHINGTON

NOTICE OF APPLICATION FOR LICENSE

AUGUST 28, 1956.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U. S. C. 791a-825r) by Public Utility District No. 1 of Cowlitz County, Washington (of Longview, Washington), for license for a proposed hydroelectric project (tentatively known as the Swift No. 2 Project), to be located in Skamania and Cowlitz Counties, Washington, on the Lewis River, navigable waters of the United States, in the region of Woodland, Longview and Vancouver in the State of Washington, and tion that any certificate issued by the Portland, in the State of Oregon. The

proposed project would consist of a power canal and forebay on the north side of Lewis River extending from Swift No. 1 Project to Swift No. 2 Project, about 3½ miles long and passing through Sections 28, 29 and 30 T. 7 N., R. 5 E., and Section 25 T. 7 N., R. 4 E., W; M.; an intake structure near the powerhouse; two penstocks; Swift Powerhouse No. 2 at the upper end of the Yale Project (No. 2071) reservoir, to contain two Francis type vertical shaft turbines each rated at 46,000 horsepower at 128 feet of net head (total 92,000 horsepower) and directly connected to a generator with a nameplate rating of 33,750 (0.90 PF; total 67,500 kw); transformers and switchyard; and appurte-

nant hydraulic, mechanical, and electrical facilities and miscellaneous project works.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests and petitions to intervene may be filed is October 11, 1956. The application is on file with the Commission for public inspection.

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 56-7042; Filed, Aug. 31, 1956; 8:46 a. m.]

GENERAL SERVICES ADMINISTRATION

PURCHASES UNDER DOMESTIC PURCHASE REGULATIONS

QUARTERLY REPORT

Activities under the Defense Production Act as amended. Quarterly report of purchases under domestic purchase regulations as of June 30, 1956.

.9		,		Quantity	· · ·
Regulation	Termination date	Unit	Program limitation	Purchases ¹ during quarter	Cumulative purchases t through end of quarter
Asbestos	Oct. 1,1957	Short tons, crude No. 1 and/or crude No. 2, asbestos.	1,500	74	1,499
Beryl	June 30, 1957	Short tons, crude No. 3 Short dry tons, beryl ore	1,500	100 43	850 937
Chrome	do	Long dry tons, chrome ore and	200,000	6,971	112,623
Columbium-tantalum	Dec. 31, 1958	or chrome concentrates. Pounds, contained combined pentoxide.	15, 000, 000	17, 243	15,600,461
Manganese: Butte-Phillipsburg	June 30, 1958	Long ton units, recoverable, manganese.	6,000,000	329, 103	2,514,053
Deming	qo	go	6,000,000	9	6,205,530
Wenden Domestic small pro-	do	Long ton units, contained, man-	19,000,000	1,334,163	0, 108, 316 7, 563, 955
ducers.	Dec 21 1057	ganese.	125,000	0	
Mercury	Dec. 31, 1957 June 30, 1957	Flasks, prime virgin mercury Short tons, hand-cobbed mica or	23,000	703	8,670
,		equivalent.	,		
Tungsten	July 1, 1958	Short ton units, tungsten trioxide.	3, 000, 000	340,308	2,972,631

¹ Quantities represent deliveries.

Dated: August 28, 1956.

FRANKLIN G. FLOETE,
Administrator. .

adopted a plan of complete liquidation of the Company, authorized sale of all its

properties and assets other than cash and

accounts and note receivable as of De-

cember 31, 1955, and further authorized

dissolution of the Company. By letter

dated June 6, 1956, the Company advised

stockholders that the sale had been con-

summated on that date and that a first

liquidating distribution of \$162 per share

would be made commencing June 7, 1956.

Dealings on the Exchange were suspended before the opening of the trading

session on July 30, 1956. A letter from

the applicant indicates possible further

liquidating payments of perhaps \$4.50

.[F. R. Doc. 56-7043; Filed, Aug. 31, 1956; 8:46 a. m.]

per share.

SECURITIES AND EXCHANGE COMMISSION

[File Ño. 1-3597]

Houston Oil Company of Texas

NOTICE OF APPLICATION TO STRIKE FROM LISTING AND REGISTRATION, AND OF OP-PORTUNITY FOR HEARING

AUGUST 28, 1956.

In the matter of Houston Oil Company of Texas, Common Stock, File No. 1-3597.

New York Stock Exchange has made application, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, to strike the above named security from listing and registration thereon.

The reasons alleged in the application for striking this security from listing and registration include the following: The stockholders on April 24, 1956,

Upon receipt of a request, on or before September 14, 1956, from any interested person for a hearing in regard to terms to be imposed upon the delisting of this security, the Commission will determine whether to set the matter down for hear-

ing. Such request should state briefly the nature of the interest of the person requesting the hearing and the position he proposes to take at the hearing with respect to imposition of terms. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official file of the Commission pertaining to the matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 56-7046; Filed, Aug. 31, 1956; 8:47 a.m.]

[File No. 24SF-2059]

COMSTOCK URANIUM-TUNGSTEN CO., INC.

ORDER TEMPORARILY SUSPENDING EXEMP-'TION, STATEMENT OF REASONS THEREFOR, AND NOTICE OF OPPORTUNITY FOR HEARING

AUGUST 28, 1956.

I. Comstock Uranium-Tungsten Company, Inc., a Nevada corporation, with its principal office located at 405 Henderson Bank Building, Elko, Nevada, having filed with the Commission on April 8, 1955, a notification and offering circular, and subsequent amendments thereto, relating to an offering of 440,000 shares of its common capital stock, 2 cents par value at 50 cents per share, for an aggregate of \$220,000, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3 (b) thereof and Regulation A promulgated thereunder; and

II. The Commission having reasonable grounds to believe that the offering is being and will be made in such a manner as to operate as a fraud and deceit upon purchasers and prospective purchasers, in that

(A) The failure of the company appropriately to amend or supplement its offering circular and sales literature, when it knew that certain of its officers, directors and promoters were selling personal shares of the issuer's stock in competition with the Regulation A offering, constitutes a fraud and deceit upon the purchasers.

(B) The failure of the company appropriately to amend or supplement its offering circular and sales literature when it knew:

(1) That it had lost a portion of its interest in "Desert Scheelite," its major property.

(2) That Utah Uranium Brokers were no longer serving as underwriters results in the use of an offering circular and sales literature that contain untrue statements of material facts and omissions to state material facts necessary

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NOTICES

to make the statements made, in the light of the circumstances under which they were made, not misleading.

It is ordered, Pursuant to Rules 223

It is ordered, Pursuant to Rules 223 and 261 of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is, temporarily suspended.

. Notice is hereby given, that any persons having any interest in the matter

may file with the Secretary of the Commission a written request for hearing; that, within 20 days after receipt of such request, the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of

additional matters at the hearing; and that notice of the time and place of said hearing will be promptly given by the Commission.

By the Commission.

[SEAL].

ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 56-7047; Filed, Aug. 31, 1956; 8:47 a.m.]